BLYTHE CITY COUNCIL AND

BLYTHE REDEVELOPMENT AGENCY



AGENDA AUGUST 14, 2007

6:00 P.M.

Robert Crain, Mayor Charles Grotke, Vice Mayor Alfonso Hernandez, Councilman Joseph DeConinck, Councilman Beverly Mays, Councilwoman Les Nelson, City Manager Virginia Rivera, City Clerk

MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBER, 235 NORTH BROADWAY, BLYTHE, CALIFORNIA

AGENDA

BLYTHE CITY COUNCIL MEETING

AND

BLYTHE REDEVELOPMENT AGENCY

AUGUST 14, 2007

6:00 P.M.

PLEDGE OF ALLEGIANC	E: by Invitation	
INVOCATION: by Invitati	on	
ROLL CALL:		
Mayor Robert Crain	City Attorney Zundel	Public Works Dir. Rodkey
Vice Mayor Charles Grotke	City Manager Nelson	Planning Director Wellman
Councilman Hernandez	Asst. City Mgr. Hull	City Engineer Aaby
Councilman DeConinck	Treasurer Martin	Golf Course Supt. Lanphere
Councilwoman Mays	Finance Dir. Colbert	Fire Chief Kem
City Clerk Rivera	Police Chief Whitney	· · · · · · · · · · · · · · · · · · ·

ADDED STARTER

The City Council may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the City Council and/or staff subsequent to the posting of the Agenda. An action adding an item to the Agenda requires a 2/3 vote of the City Council (4 of 5 Councilmembers). If less than 2/3 of the City Council is present, adding an item to the Agenda requires a unanimous vote.

CEREMONIAL:

1. **Private Donations,** Gateway Park

CALL TO ORDER: Mayor Crain

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be enacted with one motion of the Council. If any item requires individual consideration, it will be removed from the consent calendar and acted upon separately.

- 1. Posting of the Agenda: The summary of agenda items was posted on the bulletin boards on the outside of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on Friday, August 10, 2007.
- 2. Approval of Warrant Register, 6/29/07, warrants numbered 45543 thru 45659 in the amount of \$453,233.61; 06/29/07, warrants numbered 45865 thru 45905 in the amount of \$786,674.66; 07/24/07, warrants numbered 45539 thru 45542 and 45735 thru 45749 in the amount of \$480,842.52; 08/14/07, warrants numbered 45750 thru 45864 in the amount of \$288,544.97.
- 3. Approval of Payroll Register 07/11/07, warrants numbered 39117 thru 39185 in the amount of \$37,642.20; 07/20/07, warrant numbered 39186 to 39244 and Direct Deposits in the amount of \$431,537.61; 08/03/07, warrant numbered 39245 thru 39315 and Direct Deposits in the amount of \$476,006.74.
- 4. Approval of Revised Lease Agreement, Riverside County Office of Aging, Nutrition Program.
- 5. Approval of Annual Reaffirmation of City Investment Policy FY 2006-07.
- **6.** Approval Notice of Completion, Sewer Manhole Rehabilitation Project 2007.
- 7. Donation Guidelines
- **8.** Development Services Department Building Permits Issued for July 2007.

- 9. Police Department Monthly Activity Report for May & June 2007.
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Approval of Consent Calendar

PUBLIC HEARINGS:

- 1. Lighting District, Detachment of Territory from Lighting District No. 1; Annexation of Territory to Lighting District No. 2; Annual Assessment for Lighting Districts No. 1 and No. 2 for Fiscal Year 2007-2008
 - a. Staff Report
 - b. Public Hearing
 - c. Recommend Adoption of Resolution Nos. 07-730, 07-731, 07-732, and 07-733

RESOLUTION NO. 07-730, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAY CODE

RESOLUTION NO. 07-731, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

RESOLUTION NO. 07-032, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE DETACHMENT OF TERRITORY FROM CITY OF BLYTHE LIGHTING DISTRICT NO. 1

RESOLUTION NO 07-733, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE ANNEXATION OF TERRITORY TO CITY OF BLYTHE LIGHTING DISTRICT NO. 2, CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND THE LEVYAND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

RESOLUTIONS:

- 1. Resolution No. 07-725, Golf Course Fee Schedule and Refund Policy
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Adoption of Resolution No. 07-725
 - A RESOLUTION OF THE BLYTHE CITY COUNCIL ADOPTING GOLF COURSE GREEN FEE SCHEDULE AND REFUND POLICY

NEW BUSINESS:

- 1. City Flag Design
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Design Selection

WRITTEN COMMUNICATIONS:

- 1. Sheltering Wings Corporation, Request for Assistance
 - a. Correspondence
 - b. Public Comment
 - c. Recommend Approval of \$2,556 Donation

- 2. **District Attorney's Office, Riverside County**
 - a. Correspondence
 - b. Public Comment
 - c. Receive and File
- 3. **Dobb's Electronics**, Duffers Fore Children
 - a. Correspondence
 - b. Public Comment
 - c. Recommend Approval of Green Fee Donation

REDEVELOPMENT

- 1. RDA Financial Loan, Palo Verde Hospital
 - a. Staff Report
 - b. Public Comment
 - c. Recommend Approval with Conditions
- 2. **Property Acquisition, South Broadway**
 - a. Staff Report
 - b. Public Comment
 - c. Discussion Purposes Only
- 3. Golf Course, 5 Year Recovery Plan
 - a. Staff Report
 - b. Public Comment
 - c. Conceptually Endorse Purchase of Golf Course Maintenance Facility, Equipment and Inventory

REPORTS:

- 1. City Manager's Report
 - a. Staff Report
 - b. Public Comment
 - c. Receive and File

ORAL REPORTS:

1. Oral Reports from Council and Staff

PUBLIC COMMENT:

Members of the public may address Council on items not covered in the Agenda. Speakers are asked to identify themselves and give their address. Speakers are asked to limit their remarks to 3 minutes in duration.

EXECUTIVE SESSION:

- 1. **Personnel and Potential Litigation**, pursuant to Government Code Sections 54957 and 54956.9, Regarding Appeal of Termination, One Case, D. Miller
- **Potential Litigation,** pursuant to Government Code Section 54956.9, Western Land and Farming LLC, One Case

RECONVENE:

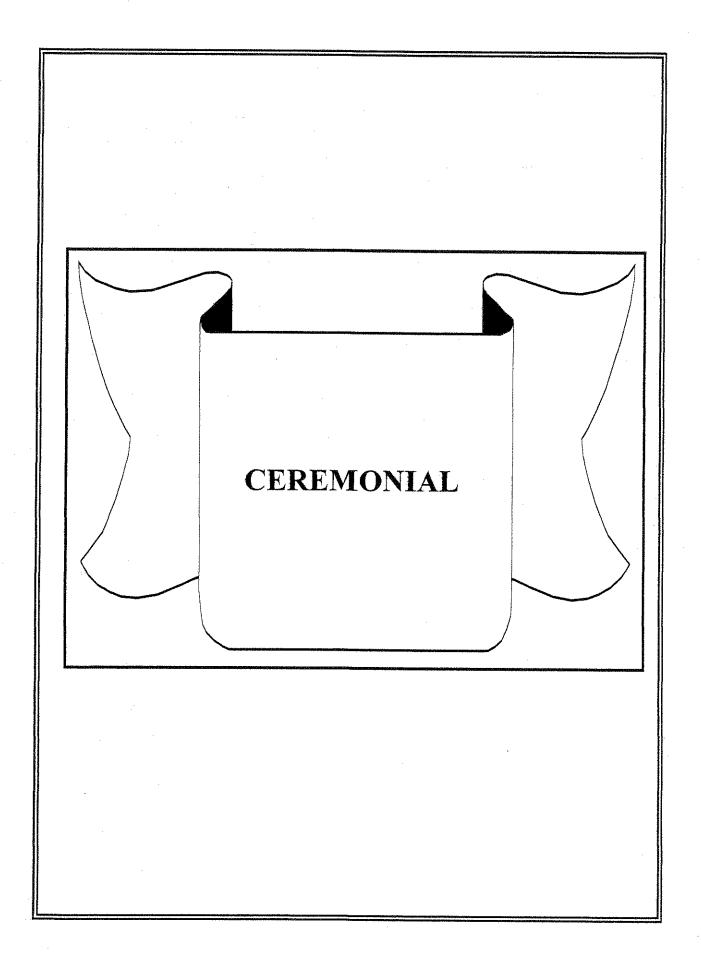
- 1. Notice of Appeal D. Miller
 - a. Staff Report
 - b. Public Comment
 - c. Recommend a Hearing Officer be Appointed to Hear the Appeal of Termination of D. Miller

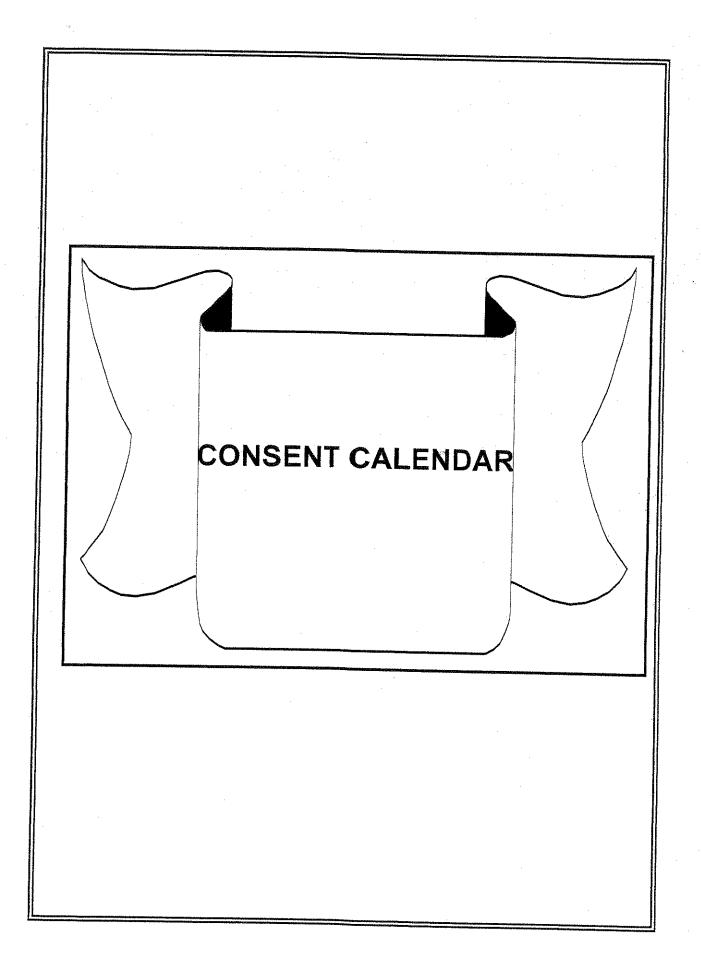
ADJOURN:

The Agenda is now available on the City's Website at http://www.cityofblythe.ca.gov

NOTE TO THE PUBLIC:

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITY ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT VIRGINIA RIVERA, CITY CLERK AT (760) 922-6161 EXT. 237. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING (28 CFR 35.104 ADA TITLE II)







July 9, 2007

Ms. Virginia Rivera City of Blythe 235 N. Broadway Blythe, CA 92225

Re: Revised Lease Agreement Community Health Agency - WIC 73-555 San Gorgonio Way, Palm Desert

Dear Ms. Rivera:

Enclosed are original and three (3) copies of the Lease Agreement for your review and approval. Please sign and return original (do not date) plus two (2) copies for processing and retaining one copy for your records.

This agreement shall not be binding until its approval by the County of Riverside's Director of the Department of Facilities Management. A fully executed copy will be returned to you for your files.

If you have any questions, please call me at (951) 955-4811.

Sincerely,

Georgina Perry

Real Property Coordinator

GP:gp

Enclosures

cc: File Copy - BL020

(Office of Aging – Nutritional Program 445 North Broadway, Blythe, California)

CITY OF BLYTHE, herein called Lessor, leases to the COUNTY OF RIVERSIDE, herein called County, the property described below upon the following terms and conditions:

1. <u>Description.</u> The premises leased hereby consist of the kitchen, dining facilities and office space in the building located at 445 N. Broadway, Blythe, California and consisting of approximately 3,092 square feet therein, as shown on Exhibit "A", attached hereto and by this reference made a part of this Lease.

2. **Use.**

- (a) The leased premises shall be used to provide a nutrition program for the elderly pursuant to the provisions of the Older Americans Act of 1965, as amended (42 United States Code, Section 3030e et seq.) and the rules and regulations promulgated thereunder. Specifically, the leased premises shall be used to prepare and serve nutritionally sound meals to the elderly and to provide social and rehabilitative services on a daily basis during the term of this Lease.
- (b) Except as provided in Paragraph 8 herein, County shall have the exclusive use of the leased premises between the hours of 7:00 a.m. and 1:30 p.m. on Monday through Friday, inclusive, during the time of this Lease. During said period, County shall have use in common with others of the rest rooms, hallways, entrances, parking spaces, and other similar facilities to and surrounding the leased premises.
- 3. <u>Term.</u> The Term of this Lease shall commence July 1, 2007 and terminate June 30, 2009, subject to the provisions of Paragraph 10 herein.
- 4. Rent. County shall pay the sum of \$275.00 per month to Lessor as rent for the leased premises; payable in advance, on the first day of the month or as soon thereafter as a warrant can be issued in the normal course of County's business.
- 5. <u>Utilities.</u> County shall pay for all telephone services used in connection with the leased premises. Lessor shall provide and pay for all other utilities as may be required in the maintenance, operation and use of the leased premises.

6. <u>Maintenance.</u>

(a) Lessor shall keep the leased premises in good and suitable condition for the uses herein, and in compliance with Federal, State and local laws, ordinances, rules and regulations relating to fire, health and safety, and Lessor shall

(b) County shall keep the leased premises in a neat and sanitary condition, including providing janitorial services, and providing cleaning supplies for the areas leased and for the hours of said Lease, and shall keep all appliances in a clean and sanitary condition, and in that connection, County shall comply with the California Uniform Retail Food Facilities Law (Section 27500, et seq. of the Health and Safety Code) and Riverside County Health Regulations. County shall not be responsible for the common hallways, lounge lobby or rest rooms.

7. <u>Improvements by County.</u>

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- (a) Any alterations, improvements or installation of fixtures to be undertaken by County shall have the prior written consent of Lessor after County has submitted plans for any such proposed alterations, improvements or fixtures to Lessor in writing. Such consent shall not be unreasonably withheld by Lessor.
- (b) All alterations, improvements and fixtures installed by County shall remain County property and may be removed by County at or prior to the expiration of this Lease; provided, however, that such removal does not cause injury or damage to the leased premises, or in the event it does, the premises shall be restored.
- 8. **Equipment and Supplies.** County may, upon obtaining the permission of Lessor, store equipment and supplies within the leased premises which are necessary to accommodate County's use of the leased premises. All such equipment and supplies shall remain the sole property of County and shall be removed by County upon the termination of this Lease. County agrees to indemnify and hold Lessor harmless from responsibility or liability for theft or loss of County's equipment and supplies which are stored on the leased premises, except as to such theft or loss caused by Lessor, and in that event, Lessor shall compensate County forthwith upon an accounting and billing therefore.
- 9. <u>Insurance.</u> Lessor shall procure and maintain during the term of this Lease, fire insurance and extended coverage on the building in which the leased premises are located. Lessor shall provide County with satisfactory proof of such coverage in the form prescribed by County.

10. Option to Terminate.

(a) County shall have the option to terminate this Lease if the leased premises are destroyed or damaged to the extent that they cannot be repaired within thirty (30) days. If the damage can be repaired within thirty (30) days, and during

said period, the rent shall abate prorate as to any portion of the leased premises not usable by County. County reserves the right to determine what, if any, portions of the leased premises are usable.

- (b) Either party hereto may terminate this Lease by giving thirty (30) days notice thereof, in writing, to the other.
- Hold Harmless. County shall hold Lessor harmless from bodily injury or 11. property damage resulting from County's use of the leased premises and agrees to repair, replace or compensate Lessor for any damage to said property occasioned by the negligence of County.
- 12. Notices. Any required or desired to be served by either party upon the other shall by addressed to the respective parties as set forth below:

LESSOR:

COUNTY

City of Blythe 220 N. Spring St. Blythe, CA 92225

County of Riverside Department of Facilities Management 3133 Mission Inn Ave. Riverside, CA 92507-4199

or to such other addresses as from time to time may be designated by the respective parties.

- Binding on Successors. The terms and conditions herein contained shall apply to and bind the heirs, successors in interest, executors' administrators, representatives and assigns of all the parties hereto.
- Entire Lease. This Lease is intended by the parties hereto as a final expression of their understanding with respect to the subject matter thereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous leases, agreements and understandings, oral or written, in connection therewith. This Lease may be changed or modified only upon written consent of the parties hereto.

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1	15. The Authority for the Direct	or of Department of Facilities Management to
2	execute this Lease is contained in Resolu	tion NO. 2002-364.
3	Dated:	
4		CITY OF BLYTHE
5		Bv.
6		By: Robert A. Crain, Mayor
7		
8		COUNTY OF RIVERSIDE
9		By:
10	Attest:	By:
11		
12	By: Virginia Rivera, City Clerk	
13	Virginia (Word, Oity Olorix	
14		
15	Approved as to Form:	
16		
17	Joe S. Rank County Counsel	
18		
19	By: Storday V. Woo 7/3/ 07 Deputy	
GP:pa 20 6/25/07	Deputy ·	
BL020 21 10.881		
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BLYTHE CITY COUNCIL

TO:

City Manager for City Council Consideration

FROM:

City Treasurer

DATE:

August 14, 2007

SUBJECT:

Annual Reaffirmation Of City Investment Policy

BACKGROUND:

Government Code Section 53646 requires that an entity's investment policy be reviewed by the legislative body on an annual basis. State law requires a monthly (or quarterly) report to the City Council on the City's investment portfolio. The policy as presented requires the investment report to be presented to the City Council quarterly.

Currently, and for the past several years, the City of Blythe's cash in excess of current operating requirements has been invested with the State of California Local Agency Investment Fund (LAIF). A copy of the monthly statements from LAIF for both the City and the Redevelopment Agency will provide the bulk of the required report until such time as the City invests in other instruments.

The attached investment policy, as presented, conforms with the restrictions and guidelines of Government Code Section 53600.

RECOMMENDATION

It is recommended the City Council re-adopt the investment policy for Fiscal Year 2006-07.

Respectfully submitted,

Leann Kay Martin

City Treasurer

CONCUR:

Les Nelson, City Manager

CITY OF BLYTHE

INVESTMENT POLICY

Fiscal Year 2007-08

The purpose of this policy statement is to identify and document various policies and procedures that enhance opportunities for a prudent and systematic investment policy and to organize and formalize investment-related activities. Related activities which comprise good cash management include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost effective banking relations, and a short-term borrowing program which coordinates working capital requirements and investment opportunity. In concert with these requirements are the many facets of an appropriate and secure short-term investment program.

It is intended that this policy cover all funds and investment activities under the direct authority of the City of Blythe pursuant to Government Code Section 53601.

Objectives:

- A. Safety: It is the primary duty of and the responsibility of the city treasurer to protect, preserve and maintain cash and investments placed in his/her trust on behalf of the citizens of the community.
- B. Liquidity: An adequate percentage of the portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investments in securities with active secondary or resale markets is highly recommended. Emphasis should be on marketable securities with low sensitivity to market risk.
- C. Yield: Yield should become a consideration only after the basic requirements of safety and liquidity have been met.
- D. Market-Average Rate of Return: The investment portfolio shall be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints, the cash flow characteristics of the portfolio, and State and local laws, ordinances or resolutions that restrict investments.
- E. Diversification: The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.
- F. Prudence: The agency adheres to the guidance provided by the "prudent man rule", which obligates a fiduciary to insure "...investments shall be made with the exercise of that degree of judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment considering the probable safety of their capital as well as the probable income to be derived."
- G. Public Trust: All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a

diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

The City Manager shall be charged with overall management of the investment program, the Director of Finance shall be delegated responsibility for the day-to-day investment activities.

The City Council advocates an active investment posture depending on the expertise of staff, size of the investment portfolio and the cost/benefit ratio.

Government Code Section 53601 lists, subject to restrictions, those investments local agencies may legally purchase:

- a. Bonds issued by it
- b. United States Treasury notes, Treasury bonds, 13 or 26 week Treasury bills or those for which the faith and credit of the United States are pledged for the payment of principal and interest
- c. Registered state warrants or treasury notes of this State
- d. Bonds, notes, registered warrants of any local agency within this State
- e. Obligations fully guaranteed by the Federal National Mortgage
 Association or other instruments issued by a federal agency or a
 United State government-sponsored enterprise
- f. Bills of exchange or time drafts known as bankers acceptances which are eligible for purchase by the Federal Reserve System
- g. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Moody's Investors Service or Standard and Poor's Corporation
- h. Negotiable certificates of deposit issued by a nationally or state chartered bank or state of federal association with certain restrictions
- i. Repurchase agreements or reverse repurchase agreements. Investments in reverse repurchase agreements may only be made with prior approval of the City Council

The listed investment instruments are relatively short term and liquid. The government code authorizes several other types of instruments which are longer term and not suited to City of Blythe investment program at this time.

A system of internal controls is in place which is designed to prevent losses of public funds arising from fraud, employee error, misrepresentation of third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. These controls include control of collusion, separation of duties, separating transaction authority from accounting and record-keeping, custodial safekeeping, clear delegation of authority, specific limitations regarding securities losses and remedial action, written confirmation of telephone transactions, minimizing the number of authorized Investment Officials, documentation of transactions and strategies, and code of ethics standards.

In selecting financial institutions for the deposit or investment of the public's funds, the Director of Finance shall consider the creditworthiness of institutions. The Director of Finance shall continue to monitor financial institutions' credit characteristics throughout the period in which the City's funds are deposited and invested.

The City of Blythe recognizes that investment risks can result from issuer

defaults, market price changes or various technical complications leading to temporary liquidity. Portfolio diversification is employed as a way to control risk. Investment managers are expected to display prudence in the selection of securities, as a way to minimize default risk. No individual investment transaction shall be undertaken which jeopardizes the total capital position of the overall portfolio. The Director of Finance shall periodically establish guidelines and strategies to control risks of default, market price changes and liquidity.

In addition to these general policy considerations, the following specific policies will be strictly observed.

- A. All transactions will be executed on a delivery versus payment basis.
- B. A competitive bid process, when practical, will be used to place all investment purchases.

All investment transactions will meet the collateralization and safekeeping requirements of Government Code Sections 53652, 53656 and 53658.

Reporting: In accordance with California Government Code Section 53646(b)(1), the Director of Finance will submit to each member of the City Council a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates par values and the current market values of each component of the portfolio, including funds managed for the City of Blythe by third party contracted managers. The report shall also include the source of the portfolio valuation. As specified in Government Code Section 53646(e) if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing reports elements may be replaced by copies of the latest statements from institutions. The report must also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the City of Blythe will meet its expenditure obligations for the next six months as required by Government Code Sections 53646 (2) and (3) respectively. The Director of Finance shall maintain a complete and timely record of all investment transactions.

The City of Blythe Investment Policy will be reviewed by the Director of Finance, updated as needed, and submitted to the City Council annually.

RECORDING REQUESTED BY	
AND WHEN RECORDED MAIL TO:	
City Clerk	
City of Blythe	
235 North Broadway	
Blythe, Ca 92225	SPACE ABOVE FOR RECORDERS USE ONLY
MANUFACTURE CONTROL OF THE CONTROL O	EXEMPT RECORDING FEE § 27383
NO	TICE OF COMPLETION

\$3.2°	NOTICE OF COMP	PLETION			
	e is hereby given that: The undersigned is owner or corporate officer of the owner of the int	erest or estate helow in the property hereinafter described:			
1.	•	erest of estate below in the property neromation described.			
2.	The full name of the owner is: City of Blythe				
3.	The full address of the owner is: 235 North Broadway Blythe, Cal	fornia 92225			
4.	The nature of the interest or estate is in fee.				
	(if other than fee, strike "in	Fee" and insert, for example, "purchaser under contract of purchase," or "lessee")			
5.	The full names and full addresses of all persons, if any who hold title	with the undersigned as joint tenants in common are:			
	Names	Addresses			
	None				
6.	A work of improvement on the property hereinafter described was co	empleted on June 22, 2007. The work was:			
	The Sewer Manhole Rehabilitation Project 2007 which consisted of	rehabilitating of existing manholes in the public right-of-way			
7,	The name of the contractor, if any, for such work of improvement wa	s:			
	Zebron Contracting, Inc., P.O. Box 2874, Newport Beach, CA 92659				
8.	The property on which said work of improvement was completed is in the City of Blythe, California, County of Riverside, State of California, and is described as follows:				
	Public Right-of-Way known as 14 th Ave. (shown as the right-of-way value Range 23 East, San Bernardino Base and Meridian, just south of Pastreet (shown as Avenue Third West, just east of Parcel F) dedicate the City of Blythe Book 7, Page 28 on April 13, 1910.	rcel M), Donlon Street (just north of Parcel M), and Commercial			
9.	The street address of said property is: None				
	Manual III	street address has been officially assigned, insert "none")			
	By:				
	Attest: City Clerk	Robert Crain, Mayor City of Blythe			
	VERIFICATIO	DIRECTOR CONTROL DE COMMENCIA DE CONTROL DE			
	undersigned, say: I am the Mayor of the City of Blythe the Declarant of eletion and know the contents thereof; the same of my own knowledge.	the foregoing notice of completion; I have read said notice of			
I declar	are under the penalty of perjury that the forgoing is true and correct.				
	uted on,2007, at Blythe, California				
LACCURE	,,2007, at Diyaro, Odinoma				

(Personal signature of the individual who is swearing that the contents of the notice of completion are true)

BLYTHE CITY COUNCIL

TO:

MAYOR AND CITY COUNCIL

FROM:

A.C.M. - C. HUZL

DATE:

AUGUST 14, 2007

SUBJECT:

DONATION GUIDELINES

BACKGROUND:

This item was discussed with Council at the meeting of July 10, 2007 and is presented for adoption on tonight's Consent Calendar. Elsewhere in the agenda is a ceremonial activity with the City Council accepting two private donations for Gateway Park. In addition, staff will provide a status update on the park and provide examples of the City flag that may be flown at Gateway Park.

RECOMMENDATION:

Staff recommends Council adopt the attached Donation Guidelines.

Concurrence by City Manager: Oks Welson

City of Blythe Policy Guidelines for Private Donations For Public Propose

The Blythe City Council recognizes and supports private contributions for public purpose. Donations to parks, street furniture, art in public places and certain public infrastructure is a cornerstone for public buy-in for those people interested in improving the quality of life within the City. The following guidelines will direct future Councils, staff and the donating public in making equitable, fair and properly recognized donations to the City.

- 1. All donations must be officially accepted by the Blythe City Council at a Council meeting.
- 2. Donations can be publicly recognized, or if the donor prefers to remain anonymous, not be publicly recognized.
- 3. Donations may be made by cash, check or physical property.
- 4. The City of Blythe reserves the right to accept or reject any donation.
- 5. An appropriate recognition plaque, not more than six inches square (6" x 6") may be part of the donation.
- 6. Once the City takes possession of the donated item, maintenance of the physical property will then be the responsibility of the City of Blythe. The City may choose not to replace the specific item if it suffers some eventual loss; e.g. the tree dies, the public art is vandalized beyond repair, or the item is stolen. The City also reserves the right for future Councils to determine the appropriateness of the donated property and can direct staff to remove, retire, store, or discard the item.
- 7. If cash or check is donated to the City, the donor shall receive an appropriate receipt for tax purposes recognizing the donation.
- 8. Specific Development Impact Fees, public art or public infrastructure related to private development as a Condition of Approval, is not a donation within these guidelines.
- 9. Where deemed appropriate by the Blythe City Council, certain parks, buildings and City facilities may have restrictions on the type, amount and private donations relating to a specific project. The City Council is the final authority on the appropriateness of the donation to a specific site, or project.
- 10. Public art donated to the City will comply with Section 17.27 of the Blythe Municipal Code.

ORDINANCE NO. 800-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADDING SECTION 17.27 TO THE BLYTHE MUNICIPAL CODE

WHEREAS, the City of Blythe is in the process of considering revising its Development Impact Fees on new developments to finance the costs of public facilities and community amenity facilities.

WHEREAS, the community amenity facilities fee includes funding for library, library books and technology, performing art center and public art.

WHEREAS, the City of Blythe does not currently have an Arts in Public Places Program; and,

WHEREAS, in order to impose a community amenities impact fee which will include a public arts fee, the City of Blythe must first have established an Arts in Public Places Program.

WHEREAS, the purpose of this Section is to establish the Arts in Public Places Program.

WHEREAS, the goals of this Section are to; (1) provide a review process for art in public places to safeguard and enhance property values and protect public and private investment in buildings and open space; (2) preserve and improve the appearance of the City as a place to live, work and visit.

Section 1: The City Council of the City of Blythe does hereby amend Title 17 of the Blythe Municipal Code by addition of Section 17.27 as follows:

Chapter 17.27

Arts in Public Places Program

Sections:

17.27.010 Purpose

17.27.020 Applicability

17.27.030 Fee In-Lieu

17.27.040 Review of Art in Public Places

17.27.010 Purpose

The purpose of this section is to establish an Arts in Public Places Program.

17.27.020 Applicability

- A. Newly constructed and reconstructed commercial and industrial buildings and structures and additions to commercial and industrial buildings and structures shall include public arts amenities.
- B. New single- and multi-family developments of 5 units or more shall include public arts amenities.

17.27.030 Fee In-Lieu

- A. Payment may be made to the City of a fee in-lieu of the inclusion of public arts amenities.
- B. Said Fee shall be one percent (1%) of commercial and industrial project costs as stated on building permits. Project costs shall not include improvements in/to the public right-of-way.
- C. Said Fee shall be one half of one percent (1/2%) of project costs as stated on building permit. Said fee shall apply to single- and multifamily developments of five (5) units or more. Project costs shall not include improvements in/to the public right-of-way.
- D. Proceeds of such fee shall be expended by the City only for the acquisition, installation, improvement, maintenance, and insurance of public arts amenities located in the City of Blythe.

17.27.040 Review of Art in Public Places

The Blythe City Council shall review and at its discretion approve all art proposed for construction and/or installation in public places.

<u>Section 2</u>: Addition of Chapter 17.27 to the Blythe Municipal Code is not a project under CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment (Section 15060(2)).

Section 3: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of the ordinance. The City Council for the City of Blythe hereby declares that it would have passed this ordinance, and each section, subsection, clause, sentence or phrase thereof, irrespective of the fact that any one or more other sections, subsections, clauses, sentences or phrases may be declared invalid or unconstitutional.

Section 4: The City Clerk shall certify to the passage hereof, and cause it to be posted as required by law. This Ordinance shall take effect on the 30th day following its passage and adoption.

PASSED, APPROVED, and ADOPTED this 14th day of March, 2006, by the following called vote, to wit:

Charles Grotke, Vice Mayor

AYES:

Hernandez, DeConinck, Mays, Grotke

NOES:

None

ABSENT:

Crain

ATTEST:

(SEAL)

rginia/Rivera, City

16

City of Blythe PERMITS ISSUED

For the Period 7/1/2007 thru 7/31/2007

7/9/2007	BURNPERMIT	1611 EAST FOURTEENTH AVE				
	FINALED	854110028 Permit	SCOTT E ONEIL	0.00	0.00	0.00
7/25/2007	CONC C/G/SIDEWALK ISSUED	361 SOUTH COTTONWOOD LA 854110005 Permit SEWER CONN &	JOSE & SANDRA DURAN RICHARD E HOOVER & CURB/GUTTER/SIDEWALK	10,000.00	299.06	299.06
7/19/2007	ELEC ISSUED	18374 RIVIERA DRIVE 875270013 Permit	VEGA QUIROZ & ZAPATA OWNER	0.00	67.50	67.50
7/31/2007	ELEC ISSUED	250 NORTH SECOND STREET 845143006 Permit REPLACE 100 A	GEORGE & TINA DE SOUSA E LONIE ELECTRIC MP w/SAME	0.00	49.50	0.00
7/17/2007	EXCAV ISSUED	16870 WEST HOBSON WAY 824080004 Permit RECONN TO SE	COUNTY OF RIVERSIDE JWL CONSTRUCTION COMPA WER/WATER & NEW FIRE HYDRAN	30,000.00 TT	442.25	442.25
7/12/2007	EXCAV GAS CO ISSUED	RIGHT OF WAYS (SEE CUT SH Permit MAY BLANKET	SOUTHERN CALIFORNIA GAS	0.00	225.00	225.00
7/11/2007	FENCE CHAIN LINK ISSUED	10350 SIEGFRIED LANE 839120029 Permit CHAIN LINK	ARON & TERESA QUIST OWNER	0.00	47.00	47.00
7/20/2007	FIRE ISSUED	160 SOUTH LOVEKIN BOULEV 848021065 Permit EXTINGUISHING	CARL L KARCHER MASTER PROTECTION CORP G, SUPPRESSION & ANSUL SYSTEM	6,500.00	231.13	231.13
7/11/2007	GRADING ISSUED	10350 SIEGFRIED LANE 839120029 Permit Grading (agricultu	ARON & TERESA QUIST OWNER are)-not structural	0.00	109.00	109.00
7/10/2007	GRADING SISSUED	1250 WEST HOBSON WAY 836121013 Permit & PAVE FOR PA	BAYLES FAMILY 2006 TRUST OWNER RKING	12,000.00	258.25	258.25
7/18/2007	PATIO ISSUED	2937 FAIRWAY DRIVE 821241004 Permit ALUMAWOOD	MESA BLUFFS DEV CO JERALD R. SCHILREFF	4,927.00	184.06	184.06
7/18/2007	PATIO ISSUED	2945 FAIRWAY DRIVE 821241003 Permit ALUMAWOOD	MESA BLUFFS DEV CO JERALD R. SCHILREFF	4,927.00	184.06	184.06
7/18/2007	PATIO SSUED	2929 FAIRWAY DRIVE 821241005 Permit ALUMAWOOD	MESA BLUFFS DEV CO JERALD R. SCHILREFF	4,927.00	184.06	184.06
7/18/2007	PATIO SSUED	2921 FAIRWAY DRIVE 821241006 Permit ALUMAWOOD	MESA BLUFFS DEV CO JERALD R. SCHILREFF	4,927.00	184.06	184.06
7/20/2007 S	PATIO SOLID SSUED	480 NORTH ACACIA AVENUE 851142002 Permit SOLID	MICHAEL CHARLES CYR OWNER	3,536.00	160.96	160.96

Page

City of Blythe PERMITS ISSUED

For the Period 7/1/2007 thru 7/31/2007

Permit No./Issued	Type/Sub-Type/Status	Site Address and Parcel No.	Owner and Contractor	Valuation	Total Fees	Paic
B0707-004 7/10/2007	PATIO SOLID ISSUED	460 SOUTH FIRST STREET 848141037 Permit SOLID	MARY M HERNANDEZ OWNER	6,300.00	230.39	230.39
B0706-044 7/16/2007	PATIO ALUMAWOOD FINALED	2202 HIDDEN SPRINGS 824222006 Permit ALUMAWOOD	JEFFREY & ERIN MASON OWNER	6,084.00	230.37	230.37
B0706-026 7/6/2007	PLUMB WATER HEATER FINALED	14270 RIVIERA DRIVE 869240022 Permit WATER HEATE	CARSON & DAWSON ET AL CRECELIUS INC R	0.00	25.00	25.00
B0706-039 7/6/2007	PLUMB WATER HEATER FINALED	227 NORTH EIGHTH STREET 851055008 Permit WATER HEATE	CLYDE B WOFFORD CRECELIUS INC R	0.00	25.00	25.00
B0706-040 7/6/2007	PLUMB WATER HEATER FINALED	8401 EAST HOBSON WAY #5 857160016 Permit WATER HEATE	CHARLES A GROTKE CRECELIUS INC R	0.00	25.00	25.00
B0706-041 7/5/2007	PLUMB WATER HEATER FINALED	350 SOUTH FIRST STREET 848141026 Permit WATER HEATE	GLORIA MORALES DESERT PLUMBING R (located outside)	0.00	25.00	25.00
B0707-002 7/6/2007	PLUMB SEWER FINALED	481 NORTH LOVEKIN BOULES 836071002 Permit REROUTE SEWI	CRECELIUS INC	0.00	49.50	49,50
B0707-003 7/6/2007	PLUMB WATER HEATER FINALED	661 PARKER PLACE 842025020 Permit WATER HEATER	DARREN C RIGGERT NICKEY'S PLUMBING R	0.00	25.00	25.00
B0707-012 7/20/2007	POOL ISSUED	471 ALAMEDA ROAD 851160005 Permit & SPA	BARTLY & LISA SCHLEHUBE VACATION POOLS INC	7,650.00	363.88	363.88
B0707-028 7/24/2007	RERF TEAR OFF ISSUED	600 EAST MICHIGAN AVENUE 845093028 Permit TEAR OFF	MATTHEW & DOROTHY HICH OWNER	3,500.00	97.75	97.75
B0707-011 7/17/2007	RERF TEAR OFF FINALED	966 EAST BARNARD STREET 851062003 Permit TEAR OFF	REKA & RUDOLPH LODER SAINDON ROOFING	2,556.00	83.75	83.75
RC0707-002 7/25/2007	RIVCOUNTY ISSUED	5075 INTAKE BOULEVARD 827170013 Permit ELECTRIC & SE	TROY & SHELIA ENTWISTLE OWNER PTIC	0.00	172.19	172.19
RC0707-003 7/9/2007	RIVCOUNTY FINALED	16060 ARROWHEAD BOULEV/ 866120001 Permit SEPTIC REPLACE	KAYIAN ENTERPRISES LUSK PLUMBING EMENT, DEMO OLD	3,500.00	148.92	148.92
RC0706-009 7/6/2007	RIVCOUNTY ISSUED	5693 NORTH LOVEKIN BOULE 827110015 Permit GRADING	CHARLES & SANDRA DEFREI RICHARD E HOOVER	0.00	1,395.09	1,395.09
RC0707-001 7/25/2007	RIVCOUNTY ISSUED	5075 INTAKE BOULEVARD 827170013 Permit MH INSTALL	TROY & SHELIA ENTWISTLE OWNER	74,900.00	440.55	440.55

City of Blythe PERMITS ISSUED

For the Period 7/1/2007 thru 7/31/2007

Permit No./Issued	Type/Sub-Type/Status	Site Address and Parcel No.	Owner and Contractor	Valuation	Total Fees	Paid
RC0704-008 7/26/2007	RIVCOUNTY	17041 SOUTH LOVEKIN BOULI 869270020	DANIEL & SHELLEY NASCA OWNER	4,789.44	166.84	166.84
	ISSUED	Permit CONSTRUCT T	WO INTERIOR BATHROOMS			
RC0705-008	RIVCOUNTY	17041 SOUTH LOVEKIN BOULI		0.00	148.92	148.92
7/20/2007	ISSUED	869270020 Permit ELEC TO TWO	JOHNSON CYLE ELECTRIC IN (2) BLDGS			
RC0707-006	RIVCOUNTY	5321 COLORADO RIVER ROAD		0.00	148.92	148.92
7/25/2007	ISSUED	833081016 Permit REMOVE-R	OWNER			
RC0701-002	RIVCOUNTY	5693 NORTH LOVEKIN BOULE		76,000.00	440.66	440.66
7/6/2007	ISSUED	827110015 Permit MH INSTALL	EAGLE MOBILE HOME CENT			
B0705-057	SFR	705 YUCCA DRIVE	BUFFIN & CORONEL ET AL	93,124.05	4,487.36	1,721.74
7/25/2007	ISSUED	842141005 Permit LA PAZ 1464	CORONEL CONSTRUCTION			
B0705-058	SFR	701 YUCCA DRIVE	BUFFIN & CORONEL ET AL	96,660.70	4,539.86	1,756.56
7/25/2007	ISSUED	842141006 Permit ACAPULCO 3 B	CORONEL CONSTRUCTION EDROOM			
36 Permits Issued	d from 7/1/2007Thru 7	7/31/2007	Total Valuation:		6456,808.19	
			Total Fees:		\$15,895.84	

Total Fees: Total Fees Paid:

\$10,297.42



Blythe Police Department Monthly Activity Report May 2007

ACTIVITY	TOTAL	YTD
Police Officer Activity Animal Control Activity Ambulance Dispatch` Air Ambulance Dispatch	2,037 122 260 21	9,400 692 1,087 102
Fire Dispatch	13	75
Total Calls for Service	2,453	11,356
Traffic Accidents Hit and Run	36	153
Injury Traffic Accidents	5	20
Number of persons injured	6	23
Arrests	87	807
Adults Arrested	66	378
Juveniles Arrested	21	429
Warrant Arrests	15	23
Citations	55	372
Traffic	42	311
Harbor & Navigation	6	6
Parking	5	51
Municipal Code	2	4
9-1-1 Calls	621	2978
Department Miles	24929	108281
Department Hours	6422.75	32213.16
Regular Hours	5827.5	29211.00
Workers Compensation Time	-O-	36
Vacation Time	209.88	965.88
Holiday Time	72	344
Sick Time	146.80	815.90
Overtime	595.25	3641.58
Training	865	4904.30
Other	37	549

May 2007

Sat	υ.	12 BPOA FAMILY PICNIC	PAL SOCCER TOURNAMENT FRESNO PAL MOVIE DAY 40 ATTENDEES AT SHREK THE 3RD	26 2 INFANT SEAT INSTALLATIONS	
L. L.	4 BICYCLE HELMETS GIVE-A-WAY	3 BICYCLE HELMETS GIVE-A-WAY ICS 400 CLASS- HOMELAND SECURITY GRANT	PAL SOCCER TOURNAMENT FRESNO 6 BICYCLE HELMETS GIVE-A-WAY	25	
Thu	2 BICYCLE HELMETS GIVE-A-WAY 1 INFANT SEAT INSTALLATION PALO VERDE COLLEGE CAREER DAY CSO WALLACE & OFFICER BRADSTREET	10 SECURITY GRANT	6 BICYCLE HELMETS GIVE-A-WAY CAR SEAT CLASS AT FAMILY CLINIC TAUGHT BY CSO WALLACE AND PROPERTY CLERK SORIA	24	<u>ક</u>
Wed	2 BICYCLE HELMETS GIVE-A-WAY	ICS 400 CLASS-HOMELAND SECURITY GRANT CAREER CLASS PRESENTATION	12 BICYCLE HELMETS GIVE-A- WAY CITIZENS ON PATROL MEETING IN PALM SPRINGS ATTENDED BY CSO WALLACE	23 3 BICYCLE HELMETS GIVE-A-WAY BPOA SCHOLARSHIP PRESENTATION AT PVHS BY OFFICER BRADSTREET	30
Ine	7-	8 3 BICYCLE HELMETS GIVE-A-WAY ICS 400 CLASS- HOMELAND SECURITY GRANT	4 BICYCLE HELMETS GIVE-A-WAY EHRENBERG HEADSTART TOUR OF BLYTHE PD BY CSO WALLACE	3 BICYCLE HELMETS GIVE-A-WAY	29 3 INFANT SEAT INSTALLATION
Mon		1 BICYCLE HELMETS GIVE-A-WAY SAFETY CLASSES TAUGHT BY CSO WALLACE & SGT RAMIREZ AT ST JOAN OF ARC CATECHISM	2 BICYCLE HELMETS GIVE-A-WAY	51 5 BICYCLE HELMETS GIVE-A-WAY	28
Suns		Ç	5	20 PAL SOCCER TOURNAMENT FRESNO	27

Code Section Tally from 5/ 1/2007 to 5/31/2007

Code Section	Description	Number of Occurences
10.04.260(17.2) BMC	IMPROPER EQUIPMENT AT SKATE PARK	2
10851(A) VC	TAKE VEHICLE W/O OWNER'S CONSENT/VEH	3
10852 VC	Injuring/tampering w/vehicle or contents	1
11350(A) HS	Poss narc controlled subs-amended(see 11	. 1
11364 HS	Poss of paraphernalia	2
11550(A) HS	Under influence/addict	2
11590 HS	Narcotic Offender Required to Register	12
12021(A)(1) PC	Addict/Felon poss firearm	1
12500(A) VC	Unlicensed driver	4
136.1(A) PC	Prevent/dissuade witness/victim	1
140 PC	THREATEN WITNESS/VICTIM OF CRIME	1
14601(A) VC	Drive/suspended license/reckless drvr	1
14601.1(A) VC	DRIVERS LICENSE SUSPENDED OR REVOKE	2
14601.2(A) VC	DRIVE WHILE LICENSE SUSPENDED FOR DU	1
14604(A) VC	VEH OWNER ALLOW UNLIC DRVR TO OPERA	1
148(A) PC	Resist/delay/obstruct peace officer	1
16028(A) VC	FAIL TO PROVIDE EVIDENCE FINANCIAL RES	2
166.4 PC	Disobey court order/process	2
20002 VC	Hit and run	8
20002(A) VC	Hit and run,property	2
211 PC	Robbery	1
21201(D)(1) VC	Bicycle w/o light during hrs of darkness	1
21212(A) VC	BICYCLE HELMET FOR UNDER 18 YRS OF AC	1
21453A VC	Stop for red signal	3
21453C VC	Movement prohibited by red arrow signal	1
21752(D) VC	DRIVING LEFT OF CENTER/TRAV INTERSECT	1
21801A VC	Left turns yield	1
21954(A) VC	Pedestrian yield when not in crosswalk	1
22107 VC	Unsafe turning movement or w/out signal	1
22349(B) VC	EXCESSIVE SPEED 55 mph ZONE	1
22350 VC	Unsafe speed	5
22356(B) VC	SPEED IN EXCESS OF 70 MPH	1
22450(A) VC	FAILURE TO STOP AT LIMIT LINE	3
22500 VC	PROHIBITED STOPG,STANDG,OR PARKING	1

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Code Section Tally from 5/ 1/2007 to 5/31/2007

Code Section	Description Nu	mber of Occurences
22502(A) VC	Park parallel/rt tires w/in 18" of curb	4
23152(A) VC	DUI alcohol and/or drugs	4
242 PC	Battery	18
24252A VC	Maintain lighting devices in good repair	2
243(E)(1) PC	BATTERY ON NONCOHIBITATING FORMER S	6
245(A)(1) PC	Assault with a deadly weapon/GBI likely	2
245(A)(2) PC	Assault with a firearm	2
246 PC	Shooting at dwelling/building or vehicle	2
246.3 PC	Discharge of firearm in gross/neg manner	3
24601 VC	License plate light required	1
261 PC	RAPE DEFINED/ NOT SPECIFIED	1
26708(A)(1) VC	Obstructed view	1
272 PC	Contrib delinquency of minor	1
273.5(A) PC	Inflict injury on spouse	2
273.6 PC	Fail to obey restraining order	1
273.6(A) PC	Violate court order preventing domestic	1
27315(D)(1) VC	Seat belts priv pass veh,4 yrs and over	4
27360.5(A) VC	4 YRS/40 LBS OR MORE/UND 16, RESTRAINE	1
273A(A) PC	Child Cruelty/Endangerment/fel	1
273D PC	Child beating	1 1
288 PC	CRIMES AGAINST CHILDREN/LEWD OR LASC	1
288(A) PC	L & L acts with child under 14	1
290 PC	REGISTRATION OF SEX OFFENDER	1
314.1 PC	IND EXP/EXP IN INH. DWELG W/O CONSENT	1
374.3 PC	Littering or dumping waste matter	1
374.4(A) PC	LITTER PUBLIC/PRIVATE PROPERTY	1
4000(A)(1) VC	Unregistered vehicle	2
415(1) PC	Fight/challenge fight pub plc	13
415(2) PC	DIST BY LOUD/UNREASONABLE NOISE	1
417(A)(2) PC	Exhibit Firearm	2
451(D) PC	Arson of property	1
452(D) PC	Arson/Property	1
459 PC	Burgiary	15
484G PC	THEFT BY USE OF ACCESS CARD	2

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Page 2 of 5

Code Section Tally from 5/ 1/2007 to 5/31/2007

Code Section	Description	Number of Occurences
487 PC	Grand theft/unspecified	3
487(A) PC	GRAND THEFT/PROP EXCEEDING \$400	2
488 PC	Petty theft	16
490.5 PC	Petty theft/retail merchandise	8
5150 WI	Psychiatric Detention	10
530.5(A) PC	USE OTHERS ID TO OBTAIN MONEY/CREDIT	4
594(2)(A) PC	vandalism less than \$400	10
594(A)(1) PC	Vandalism, defacing w/paint, liquid	24
594(A)(2)PC	Vandalism/damage real/personal property	2
594(B) PC		14
594(B)(1) PC	Vandalism (\$400 or more)	5
597(B) PC	Cruelty to animals/misd	1
6.16.030(A) BMC	DOGS AT LARGE (LOOSE)	21
601/R WI	*Runaway	13
602 PC	Trespass	2
602(L) PC	Trespass/occupy prop w/o consent	2
602(M) PC	Trespass/drive on private property	1
602.5 PC	Enter dwelling unlawfully	1
626.4(D) PC	Remain on campus w/o consent	1
626.6(A) PC	Order nonstudent off campus	1
647(F) PC	Under influence	7
647(H) PC	LOITER, PROWL ON PRIVATE PROPERTY	3
647(I) PC	LOITER, PROWL, PEEK IN STRUCTURE	1
653M PC	Annoying telephone calls	6
655.2(A)(1) HN	SPEED REST AREA W/IN 100 FT OF BATHER	2
655.7(C) H&N	SPLASHING	2
6565.5(A) T14	NO PFD-VESSEL UNDER 16 FT	1
658(A) H&N	NO OBSERVER	1
664/187 PC	Attempted Murder	1
664/459 PC	Attempt burglary-not specified	2
9.72.030 BMC	LOITERING PUBLIC PLACE (CURFEW)UND 18	3
ACC/NR	Accident: no report filed	13
ÄCI	Injury Accident	4
ACIB	ACCIDENT-INJURY/NO CITATION/BICYCLE	1

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Page 3 of 5

Code Section Tally from 5/ 1/2007 to 5/31/2007

Code Se	tion	Description	Number of Occurences
ACN	, 1.	Non-Injury Accident	3
ACS		SPECIAL ACCIDENT	2
ADM		Administrative Detail	12
AIR		AIR AMBULANCE/ CC GROUND TRANSPORT	21
ALC		Commercial Alarm	37
ALF		ALARM/FIRE	2
ALR		Residential Alarm	16
AN1		DEAD DOG	1
AN2		DEAD CAT	4
AN3		OTHER DEAD ANIMAL	1
ANA		DOG BITE/SCRATCH	1
ANC		Cat Pick Up	20
AND		Dog Pick Up	13
ANE		OTHER ANIMAL P/U	4
ANF		Animal Case Work	58
AOD		ASSISTING OTHER AGENCIES	32
ASC		Citizen Assist	1
ATC		Attempt to Contact	7
ATL		Attempt to Locate	12
ВС		BAR CHECK	23
CIV		Civil Problem/Standby/etc.	79
CPO		CRIMINAL PROTECTIVE ORDER (136.2(G) PC	2
EPO		EMERGENCY PROTECTIVE ORDER	1
FD		FLAG DOWN	11
FIR		FIRE DEPT DISPATCH	13
FU		Follow-up Casework	87
HAZ		Street or traffic equipment hazard	13
INF		Information Report	88
JUV		Juvenile Problem	74
LOI		Loitering Complaint	5
	OL PROP	LOST OR STOLEN PROPERTY	6
MD		MEDICAL AID	260
MIS		Missing Person Investigation	3
OD		OPEN DOOR	3
inted: 6/11/07 11:48AM		35 St. 2000.	Page 4 of 5

Code Section Tally from 5/ 1/2007 to 5/31/2007

Code Section	Description	Number of Occurences	
OVP	Overdue Person	1	
PC	PROPERTY CHECK	395	
PD	PEDESTRIAN CHECK	75	
PRF	Found Property	7	
PRF CNTB	FOUND CONTRABAND PROPERTY	3	
PRL	Lost Property	3	
PS	PUBLIC/COMMUNITY SERVICE	32	
RD TG	RED TAG VEH/72 HR REMOVAL WARNING	7	
SUB	Subpoena service	2	
sus	Suspicious person/vehicle/circumstance	264	
T	TRAFFIC STOPS	28	
TA	TRAVELERS AID	2	
TRO	Temporary Restraining Order	13	
TW	Traffic stop-Warning	74	
UNA	Unattended Death	2	
VC	VEHICLE CHECK	73	
VEH REPO	VEHICLE REPOSSESSION	3	
- VERB	verbal/noise disturbance	146	
VS	WATER VESSEL STOP	3	
WAR	Warrant service	18	
WC [.]	WELFARE CHECK	20	
WS	ATT/WARRANT SERVICE	1	
WVA	BOATING/WATER VESSEL ACTIVITY	3	
Z No Code Section		2	
GRAND TOTAL		2,453	

BLYTHE POLICE DEPARTMENT UNIT MILEAGE June 1, 2007

UNIT	LICENSE PLATE#	ENDING MILEAGE	STARTING MILEAGE	TOTAL MILES DRIVEN
95-019 (INV UNIT)	3MKC327	150182	149967	215
96-026 (MARKED UNIT)	E045271	117773	117687	86
97-034 (TRAVEL UNIT- SILVER)	3WIE068	117786	115800	1986
97-035 (INV UNIT)	3WIB032	112628	112145	483
98-036 (BNET TAHOE)	5RIR968	70568	70427	141
99-039 (MARKED UNIT)	1086958	96433	95398	1035
99-040 (INV UNIT X46)	4GYB239	58375	57829	546
99-041 (X2 UNIT)	4GYB245	78116	77252	864
01-044 (SGT. TAHOE)	1104420	141648	141225	423
01-045 (INV TAHOE X128)	1104421	59175	58198	977
01-046 (X3 TAHOE)	4RWF398	68914	67273	1641
03-047 (MARKED UNIT)	1188592	82047	80007	2040
03-048 (MARKED UNIT)	1188585	73857	73760	97
03-053 (MARKED UNIT)	1176836	63260	61605	1655
05-057 (ACO)	1188458	35205	33961	1244
05-058 (MARKED UNIT)	1205874	37225	34382	2843
04-059 (X1 UNIT)	5GSD447	21689	21097	592
06-060 (MARKED UNIT)	1227091	28362	26231	2131
06-061 (MARKED UNIT)	1227092	27418	25307	2111
06-062 (CSO VAN)	1244576	606	561	45
06-063 (CSI UNIT)	1159918	896	865	31
06-064 (MOTORCYCLE)		3965	3488	477
07-065 (MARKED UNIT)		8965	5699	3266
TOTAL				24929

BLYTH	IE POLICE	DEPARTME	NT	
MONTHLY	PAYROLL	STATISTICS	<u> </u>	
	URS WOR			
MAY 2007				
	IVIA 1 2007			
	<u> </u>			
**EXCLUDES LT, CAPT. & COP	SWORN	NON-SWORN	-	
REGULAR HOURS	3503.5	2324		
WORKMAN'S COMP	0	0		
VACATION	109.88	100		
HOLIDAY	0	72	***************************************	
SICK	60	86.8		
BANKED OT	41.5	6.5		
OT	475.25	72		
COURT	26.25	0		
OFFSITE TRAINING	64	8		
ONSITE TRAINING	705	88		
COMP USED	29	0		
ADMIN/TIME OFF	0	8		
ADMIN LEAVE	0	0		
BEREAVEMENT LEAVE	. 0	0		
JURY DUTY	0	0		
DISABLILITY	0	0		
TOTAL HOUSE WORKER	0400 ==			
TOTAL HOURS WORKED	6422.75			-
WORKERS COMP	0.00			
VACATION TIME	209.88			
HOLIDAY	72.00			
SICK TIME	146.80			F 111 A
OVERTIME	595.25			
TRAINING	865.00			
OTHER	37.00			<u> </u>

Jestebon Miller 3/3/

Blythe Police Department Monthly Activity Report June 2007

ACTIVITY	TOTAL	YTD
Police Officer Activity Animal Control Activity Ambulance Dispatch` Air Ambulance Dispatch Fire Dispatch	1,563 143 190 21 20	10,963 835 1,277 123 95
Total Calls for Service	1,937	13,293
Traffic Accidents Hit and Run Injury Traffic Accidents Number of persons injured	21 7 2 3	174 44 22 26
Arrests Adults Arrested Juveniles Arrested Warrant Arrests	59 45 14 8	866 423 443 31
Citations Traffic Harbor & Navigation Parking Municipal Code	45 31 4 3 7	417 342 10 54 11
9-1-1 Calls	559	3537
Department Miles	21114	129395
Department Hours	6246.25	38459.41
Regular Hours Workers Compensation Time Vacation Time Holiday Time Sick Time Overtime Training Other	5699.75 160.00 258 -0- 127.00 546.50 1341 68	34910.75 196.00 1223.88 344 942.9 4188.08 6245.36 617

Code Section Tally from 6/ 1/2007 to 6/30/2007

	Code Section	Description	Number of Occurences
	10851(A) VC	TAKE VEHICLE W/O OWNER'S CONSENT/VEH	1
	11350(A) HS	Poss narc controlled subs-amended(see 11	1
	11357(B) HS	Poss marijuana (less than 1oz.)	1
	11364 HS	Poss of paraphernalia	2
	11377(A) HS	Possession controlled subst(drugs)(amend	1
	11378 HS	Possession controlled substance for sale	1 .
	11590 HS	Narcotic Offender Required to Register	4
	12500(A) VC	Unlicensed driver	5
	12680 HS	DISCHARGE/ETC FIREWORKS: LIKELY TO IN.	1
	14601.1(A) VC	DRIVERS LICENSE SUSPENDED OR REVOKE	1
	14601.2(A) VC	DRIVE WHILE LICENSE SUSPENDED FOR DU	1
	14601.2(B) VC	DRIVE WHILE LICENSE RESTRICTED FOR DU	1
	166.4 PC	Disobey court order/process	1
	20002 VC	Hit and run	6
	20002(A) VC	Hit and run,property	1
	21453A VC	Stop for red signal	1
	21658A VC	Unsafe lane change	1
	21804(A) VC	Failure to yield right of way /Ift turn	1
	22100B VC	Improper position for left turn	. 1
	22107 VC	Unsafe turning movement or w/out signal	1
	22350 VC	Unsafe speed	7
	22450(A) VC	FAILURE TO STOP AT LIMIT LINE	4
	22500F VC	Parked on a sidewalk	1
	22502(A) VC	Park parallel/rt tires w/in 18" of curb	2
	22651(K) VC	Abated Vehicle	1
	23152(A) VC	DUI alcohol and/or drugs	·
	242 PC	Battery	12
	243(C) PC	BATTERY ON PO/EMER PERS/W/INJURY/ETC	1
	243(E)(1) PC	BATTERY ON NONCOHIBITATING FORMER S	6
	245(A)(1) PC	Assault with a deadly weapon/GBI likely	. 1
	24601 VC	License plate light required	1
	25662(A) BP	MINOR POSSESS ALCOHOL	1
	261(A)(2) PC	RAPE BY FORCE/FEAR/ETC	. 1
	26708(A)(1) VC	Obstructed view	1
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Code Section Tally from 6/1/2007 to 6/30/2007

•	Code Section	Description	Number of Occurences
	27007 VC	Outside speakers	2
	273.5 PC	Corporal Injury/Spouse	1
	273.5(A) PC	Inflict injury on spouse	4
	273.6 PC	Fail to obey restraining order	2
	273.6(A) PC	Violate court order preventing domestic	2
	27315(D) VC	Seat belts priv pass veh,4 yrs and over	1
	27315(D)(1) VC	Seat belts priv pass veh,4 yrs and over	1
	273A(B) PC	CHILD CRUELTY/WILLFUL	1
	288(A) PC	L & L acts with child under 14	2
	290 PC	REGISTRATION OF SEX OFFENDER	1
	290(G)(1) PC	Failure to register	1
	4000(A)(1) VC	Unregistered vehicle	3
	415(1) PC	Fight/challenge fight pub plc	4
	415(2) PC	DIST BY LOUD/UNREASONABLE NOISE	1
	417(2)(B) PC	EXHIBIT DEADLY WEAPON FIREARM	1
	417(A)(1) PC	Exhibit deadly weapon other than firearm	1
	422 PC	Terrorist threats	1
	452(C) PC	Unlawful fire structure or forest land	1
	4571 PC	Felon on prison ground	1
	459 PC	Burglary	17
	476A(B)/M PC	NSF checks	1
	484G PC	THEFT BY USE OF ACCESS CARD	2
	487 PC	Grand theft/unspecified	1
	487(A) PC	GRAND THEFT/PROP EXCEEDING \$400	2
	487B PC	Grand theft/convert real property	1
	488 PC	Petty theft	13
	490.5 PC	Petty theft/retail merchandise	5
	490.5(A) PC	Petty theft retail merchandise	1
	498(B)(4) PC	THEFT OF UTILITY SERVICES	1
	5150 WI	Psychiatric Detention	7
	5201 VC	License plates	1
	530.5(A) PC	USE OTHERS ID TO OBTAIN MONEY/CREDIT	3
	594(2)(A) PC	vandalism less than \$400	2
	594(A)(1) PC	Vandalism, defacing w/paint, liquid	24

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BLYTHE POLICE DEPARTMENT

Code Section Tally from 6/1/2007 to 6/30/2007

Code Section	Description	Number of Occurences
 594(B)(1) PC	Vandalism (\$400 or more)	1
594(B)(2) PC	Vandalism (less than \$400.00)	9
594.3(A) PC	Vandalism to place of worship	1
6.06.020(A) BMC	MANDATORY DOG LICENSE (NO LIC)	6
6.16.030(A) BMC	DOGS AT LARGE (LOOSE)	18
6.16.040(A) BMC	NOISE DISTURBANCE BY ANIMALS	1
601/R WI	*Runaway	4
602 PC	Trespass	2
602(L) PC	Trespass/occupy prop w/o consent	1
602.5 PC	Enter dwelling unlawfully	1
626.2 PC	Dismd student/employee on campus	1
647(F) PC	Under influence	4
647(H) PC	LOITER, PROWL ON PRIVATE PROPERTY	. 1
653M PC	Annoying telephone calls	6
653M(A) PC	Annoying phone calls (obscene threat)	1
655.2(A)(2) HN	SPEED IN BACKWATER	1
655.7(C) H&N	SPLASHING	1
6565.5(A) T14	NO PFD-VESSEL UNDER 16 FT	1
658(A) H&N	NO OBSERVER	1
664/459 PC	Attempt burglary-not specified	2
664/490.5 PC	ATTEMPT SHOPLIFT	1
9.72.030 BMC	LOITERING PUBLIC PLACE (CURFEW)UND 18	4
ACC/NR	Accident: no report filed	9
ACI	Injury Accident	2
ACN	Non-Injury Accident	3
ADM	Administrative Detail	4
AIR	AIR AMBULANCE/ CC GROUND TRANSPORT	21
ALC	Commercial Alarm	16
ALF	ALARM/FIRE	2
ALR	Residential Alarm	18
AN1	DEAD DOG	1
AN2	DEAD CAT	5
AN3	OTHER DEAD ANIMAL	1
ANA	DOG BITE/SCRATCH	2

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BLYTHE POLICE DEPARTMENT

Code Section Tally from 6/1/2007 to 6/30/2007

Code Section	Description	Number of Occurences
 ANC	Cat Pick Up	27
AND	Dog Pick Up	8
ANE	OTHER ANIMAL P/U	1
ANF	Animal Case Work	68
AOD	ASSISTING OTHER AGENCIES	23
ASC	Citizen Assist	4
ATC	Attempt to Contact	8
ATL	Attempt to Locate	9
BC	BAR CHECK	41
CIV	Civil Problem/Standby/etc.	58
CPO	CRIMINAL PROTECTIVE ORDER (136.2(G) PC	2
FD	FLAG DOWN	22
FIR	FIRE DEPT DISPATCH	20
FU	Follow-up Casework	76
HAZ	Street or traffic equipment hazard	17
INF	Information Report	66
JUV	Juvenile Problem	54
LOI	Loitering Complaint	10
LOST/STOL PROP	LOST OR STOLEN PROPERTY	6
MD	MEDICAL AID	190
MIS	Missing Person Investigation	1
OAH	ORDER AFTER HEARING	1
OD	OPEN DOOR	4
PC	PROPERTY CHECK	150
PD	PEDESTRIAN CHECK	78
PRF	Found Property	12
PRF CNTB	FOUND CONTRABAND PROPERTY	2
PRL	Lost Property	1
PS	PUBLIC/COMMUNITY SERVICE	45
RD TG	RED TAG VEH/72 HR REMOVAL WARNING	. 12
RO	Restraining Order	1
SUS	Suspicious person/vehicle/circumstance	168
Т	TRAFFIC STOPS	12
TEST	DUMMY TEST INCIDENT	1

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BLYTHE POLICE DEPARTMENT

Code Section Tally from 6/ 1/2007 to 6/30/2007

Code Section	Description	Number of Occurences
TRO	Temporary Restraining Order	6
TW	Traffic stop-Warning	159
UNA	Unattended Death	2
VC	VEHICLE CHECK	55
VEH REPO	VEHICLE REPOSSESSION	9
VERB	verbal/noise disturbance	127
VS	WATER VESSEL STOP	1
WAR	Warrant service	17
wc	WELFARE CHECK	20
WS	ATT/WARRANT SERVICE	1
WVA	BOATING/WATER VESSEL ACTIVITY	5
GRAND TOTAL		1,937

BLYTHE POLICE DEPARTMENT Incident Search Report 6/ 1/2007 TO 6/30/2007 Titles: T Dispositions: CC

Incident - Sup	D.R. Number	Report Date/Fime Title Disp	Code Section WU DV HC FORCE	E Officer	Location
070601054	072167	06/01/2007 21:12 T CC	24601 VC 16028(A) VC	X155	200 BLK N LOVEKIN
070602055	072180	06/02/2007 19:02 T CC	21804(A) VC	X155	400 BLK S 7TH ST
070604019	072193	06/04/2007 11:26 T CC	22350 VC	X157	12000 BLK W HOBSONWAY
070604024	072194	06/04/2007 13:11 T CC	22450(A) VC	X152	JUNIPER/OASIS
070604054	072201	06/04/2007 22:05 T CC	12500(A) VC 22108 VC 16028(A) VC	X150	1251 E 14TH AVE
070605038	072211	06/05/2007 14:05 T CC	22350 VC	X157	7TH/DONLON
070605044	072214	06/05/2007 16:57 T CC	14601.2(B) VC	X121	9700 BLK E 11TH
070608041	072245	06/08/2007 16:50 T CC	22107 VC	X159	430 S BROADWAY
070610035	072261	06/10/2007 16:16 T CC	21453A VC	X152	300 BLK N LOVEKIN
070611004	072266	06/11/2007 01:40 T CC	14601.1(A) VC	X158	HOBSONWAY/INTAKE
070611011	072267	06/11/2007 08:50 T CC	22350 VC	X157	800 W HOBSONWAY
070611023	072270	06/11/2007 11:17 T CC	22502(A) VC	X157	461 S 4TH
070612026	072284	06/12/2007 10:34 T CC	27315(D)(1) VC	X157	HOBSONWAY/2ND
070613022	072297	06/13/2007 12:59 T CC	WAR 12500(A) VC 4000(A)(1) VC 16028(A) VC	X159	300 BLK E DONLON
070614047	072308	06/14/2007 22:14 T CC	11357(B) HS	X153	800 BLK W HOBSONWAY
070616009	072323	06/16/2007 02:31 T CC	22350 VC 12951A VC	X155	HOBSONWAY/95
070616046	072331	06/16/2007 21:34 T CC	22450(A) VC	960X	EUCALYPTUS/NEVADA
070616048	072332	06/16/2007 21:41 T CC	12500(A) VC 27315(D)(1) VC 16028(A) VC	X150	100 BLK E HOBSONWAY

BLYTHE POLICE DEPARTMENT
Incident Search Report
6/ 1/2007 TO 6/30/2007
Titles: T Dispositions: CC

Incident - Sup	D.R. Number	Report Date/Time Title Disp	Code Section WU	WU DV HC FORCE Officer	er Location
070616063	072333	06/16/2007 22:48 T CC	27007 VC	X150	MAIN/HOBSONWAY
070616064	072334	06/16/2007 22:53 T CC	22350 VC	960X	COMMERCIAL/HOBSONWAY
070616071	072335	06/16/2007 23:37 T CC	26708(A)(1) VC	X046	1ST/HOBSONWAY
070616074	072336	06/16/2007 23:54 T CC	27007 VC 24252A VC 16028(A) VC	X150	SOLANO/HOBSONWAY
070617016	072337	06/17/2007 01:59 T CC	12500(A) VC 22108 VC	X150	1100 BLK W CHANSLORWAY
070618004	072347	06/18/2007 01:21 T CC	22500F VC	X158	951 E AVE B
070618028	072348	06/18/2007 10:54 T CC	22450(A) VC	X152	300 BLK W BARNARD
070619016	072354	06/19/2007 04:02 T CC	22100B VC 16028(A) VC	X150	600 BLK W HOBSONWAY
070619048	072359	06/19/2007 15:12 T CC	22502(A) VC	X126	RICE/WILLOW
070629046	072447	06/29/2007 15:57 T CC	4000(A)(1) VC 16028(A) VC 26708(A)(1) VC	X152	300 BLK S 7TH
070629050	072448	06/29/2007 16:29 T CC	4000(A)(1) VC 16028(A) VC 27315(D)(1) VC	X150	HOBSONWAY/ 7TH
070629053	072449	06/29/2007 17:13 T CC	5201 VC	X150	CHANSLOR/5TH
070629058	072450	06/29/2007 18:09 T CC	4000(A)(1) VC 16028(A) VC 27360(A) VC 27360(A) VC 27360(A) VC 27360(A) VC 27360(A) VC	X150	300 BLK N LOVEKIN
070629061	072451	06/29/2007 18:54 T CC	22450(A) VC	X106	400 BLK S 5TH

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BLYTHE POLICE DEPARTMENT Incident Search Report 6/ 1/2007 TO 6/30/2007
Titles: T Dispositions: CC

Incident - Sup	D.R. Number	Report Date/Time Title Disp	Code Section	WU DV HC FORCE	Officer	Officer Location
070630042	072467	06/30/2007 20:07 T CC	21658A VC 24600B VC		X157	500 BLK E HOBSONWAY
070630068	072470	06/30/2007 23:40 T CC	27315(D) VC 27315(D) VC		X152	1100 BLK W HOBSONWAY

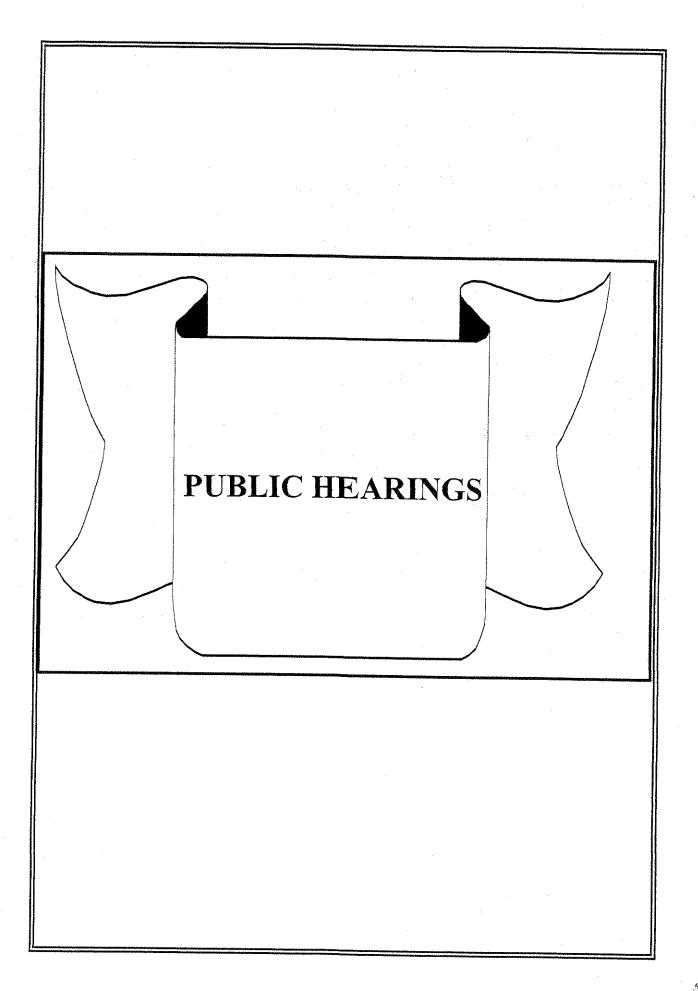
34 INCIDENTS FOUND

BLYTHE POLICE DEPARTMENT UNIT MILEAGE July 1, 2007

UNIT	LICENSE PLATE#	ENDING MILEAGE	STARTING MILEAGE	TOTAL MILES DRIVEN
95-019 (INV UNIT)	3MKC327	150388	150182	206
96-026 (MARKED UNIT)	E045271	118006	117773	233
97-034 (TRAVEL UNIT- SILVER)	3WIE068	119495	117786	1709
97-035 (INV UNIT)	3WIB032	113128	112628	500
98-036 (BNET TAHOE)	5RIR968	70601	70568	33
99-039 (MARKED UNIT)	1086958	97103	96433	670
99-040 (INV UNIT X46)	4GYB239	59136	58375	761
99-041 (X2 UNIT)	4GYB245	78322	78116	206
01-044 (SGT. TAHOE)	1104420	141706	141648	58
01-045 (INV TAHOE X128)	1104421	59622	59175	447
01-046 (X3 TAHOE)	4RWF398	69637	68914	453
03-047 (MARKED UNIT)	1188592	83651	82047	1604
03-048 (MARKED UNIT)	1188585	74246	73857	389
03-053 (MARKED UNIT)	1176836	65539	63260	2279
05-057 (ACO)	1188458	36301	35205	1096
05-058 (MARKED UNIT)	1205874	40020	37225	2795
04-059 (X1 UNIT)	5GSD447	21819	21689	130
06-060 (MARKED UNIT)	1227091	30503	28362	2141
06-061 (MARKED UNIT)	1227092	30099	27418	2681
06-062 (CSO VAN)	1244576	610	606	4
06-063 (CSI UNIT)	1159918	929	896	33
06-064 (MOTORCYCLE)		3965	3965	0
07-065 (MARKED UNIT)		11651	8965	2686
!				
TOTAL				21114

BLYTHE POLICE DEPARTMENT							
MONTHLY PAYROLL STATISTICS							
НО	URS WOR	KED					
	JUNE 200						
		•					
**EXCLUDES LT, CAPT. & COP	SWORN	NON-SWORN					
REGULAR HOURS	3828.75	1871					
WORKMAN'S COMP	160	0					
VACATION	116	142					
HOLIDAY	0	0					
SICK	36	91					
BANKED OT	5.5	7.5					
ОТ	485	48.5					
COURT	29	0					
OFFSITE TRAINING	24	120					
ONSITE TRAINING	1021	176					
COMP USED	0	0					
ADMIN/TIME OFF	0	0					
ADMIN LEAVE	0	32					
BEREAVEMENT LEAVE	36	0					
JURY DUTY	0	0					
DISABLILITY	0	0					
TOTAL HOURS WORKED	6246.25						
	WORKERS COMP 160.00						
VACATION TIME	258.00		N-10-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1				
HOLIDAY	0.00						
SICK TIME	127.00						
OVERTIME	546.50						
TRAINING	1341.00						
OTHER	68.00						

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CITY COUNCIL





DATE:

August 14, 2007

SUBJECT:

Detachment of Territory from Lighting District No. 1; Annexation of Territory to Lighting District No. 2; Annual Assessment for Lighting Districts No. 1 and No. 2

for Fiscal Year 2007-2008

BACKGROUND: The Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Streets and Highways Code) requires the City Council to conduct proceedings in order to levy annual assessments, detach or annex territory, or increase assessments within assessment districts formed under the Act (including Lighting Districts No. 1 and 2).

At its May 8, 2007, meeting, the City Council adopted Resolution Nos. 07-701 and 07-702 initiating proceedings for the levy and collection of assessments within City of Blythe Lighting Districts No. 1 and 2 for fiscal year 2007-2008.

At its June 12, 2007, meeting, the City Council adopted Resolution No. 07-710, declaring its intention to detach territory from Lighting District No. 1; adopted Resolution No. 07-712 declaring its intention to levy and collect assessments within Lighting District No. 1 for fiscal year 2007-2008; adopted Resolution No. 07-714 declaring its intention to annex territory to Lighting District No. 2 and to levy and collect assessments within such territory for fiscal year 2007-2008; and adopted Resolution No. 07-715 declaring its intention to levy and collect assessments within Lighting District No. 2 for fiscal year 2007-2008. All four resolutions of intention set August 14, 2007, as the public hearing date for protests to the levy of annual assessments and the annexation.

Subsequent to the June 12, 2007, meeting, notice was mailed to the owners of the properties within the territory to be annexed, along with a ballot for such owners to indicate support for, or opposition to, the proposed annexation. The notice indicated the amount of the proposed assessment for their respective parcels and the date, time and place of the public hearing on the proposed annexation. The notice also included a summary of the procedures governing the ballot process.

DISCUSSION: At the public hearing(s), the City Council must hear and consider all oral and written statements, protests, objections or other communications made or filed with respect to the detachment of territory from Lighting District No. 1, annexation of territory to Lighting District No. 2 and the levy and collection of annual assessments within Lighting Districts No. 1 and No. 2 for fiscal year 2007-2008.

Ballots with respect to the annexation must be tabulated at the public hearing. A majority protest exists if ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment, with the ballot for each parcel weighed according to the proposed assessment against that parcel. In the absence of a majority protest for the tabulation the City Council may adopt a resolution ordering the annexation.

RECOMMENDATION: Conduct the required public hearing(s) for the detachment of territory from Lighting District No. 1, annexation of territory to Lighting District No. 2, and Annual Assessments for Lighting District No. 1 and Lighting District No. 2. At the conclusion of the public input portion of the public hearings, recess for the tabulation of the assessment ballots. After tabulating the ballots, the results are announced and the public hearings are closed. In the absence of a majority protest (as described above), it is recommended that the City Council adopt the following Resolutions:

Resolution No. 07-730

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

Resolution No. 07-731

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

Resolution No. 07-732

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE DETACHMENT OF TERRITORY FROM CITY OF BLYTHE LIGHTING DISTRICT NO. 1

Resolution No. 07-733

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE ANNEXATION OF TERRITORY TO CITY OF BLYTHE LIGHTING DISTRICT NO. 2, CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE MPROVEMENTS AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

If a majority protest exists (as described above), it is staffs recommendation that the City Council adopt only Resolutions 07-730 and 07-731.

Respectfully Submitted:

Jennifer Wellman, AICP

Kelson

Planning Director

Concurrence:

Les Nelson City Manager

RESOLUTION NO. 07-730

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

THE CITY COUNCIL OF THE CITY OF BLYTHE HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (hereinafter referred to as the "Act"), the City Council of the City of Blythe, by its Resolution No. 07-701, initiated proceedings for the levy and collection of assessments against lots and parcels of land within City of Blythe Lighting District No. 1 (hereinafter referred to as the "District"), for the fiscal year commencing July 1, 2007 and ending June 30, 2008 and ordered the Engineer, GFB-Friedrich & Assoc., Inc., to prepare a written report in accordance with Article 4 of Chapter 1 of the Act. The City Council, by its Resolution No. 07-711, approved such Engineer's Report, and, by its Resolution No. 07-712, declared its intention to levy and collect assessments against lots and parcels of land within the District.

Section 2. Following notice duly given in accordance with law, the City Council has held a full and fair public hearing regarding its Resolution No. 07-712, the Engineer's Report prepared in connection therewith, and the levy and collection of the proposed assessment within the District for fiscal year 2007-2008 to pay for the costs and expenses of the improvements described in Section 4 below. All interested persons were afforded the opportunity to hear and be heard. The City Council has considered all oral and written statements, protests and communications made or filed by interested persons. All protests and objections to the levy and collection of the proposed assessment for the fiscal year commencing on July 1, 2007 and ending on June 30, 2008 are hereby overruled by the City Council.

Section 3. Based upon its review of the Engineer's Report and other reports and information, the City Council hereby finds and determines that (i) the land within the District will be benefited by the improvements described in such Engineer's Report, (ii) the District includes all of the lands so benefited, (iii) the net amount to be assessed upon the lands within the District for the 2007-2008 fiscal year, in accordance with the Engineer's Report, is apportioned by a formula and method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements; and (iv) only special benefits are assessed and no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

Section 4. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: The maintenance and servicing of existing and proposed public lighting facilities, including traffic signals, and appurtenant facilities installed and constructed in public places in the District. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities to remove or cover graffiti. Servicing means the furnishing of water for the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of appurtenant facilities.

Section 5. Lots or parcels of land within the District that are owned or used by any county, city, city and county, special district or any other local governmental entity, the State of California, or the

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United States shall be assessed unless the City demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements.

<u>Section 6</u>. All railroad, gas, water, and electric utility right-of-way and utility line right-of-way which are included within the District shall be assessed in accordance with the benefits received from the improvements.

Section 7. The City Council hereby confirms the diagram and assessment, with respect to the parcels in the District, as originally proposed in the Engineer's Report.

Section 8. The assessment is in compliance with the provisions of the Act and Article XIIID of the California Constitution.

Section 9. The assessment is levied without regard to property valuation.

Section 10. The assessment is levied for the purpose of paying the costs and expenses of the improvements described in Section 4 above for the fiscal year commencing on July 1, 2007 and ending on June 30, 2008.

Section 11. The adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

Section 12. The improvements shall be performed pursuant to law.

Section 13. The County Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment, and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

Section 14. The City Treasurer shall deposit all moneys representing assessments collected by the County to the credit of a special fund known as "Improvement Fund, City of Blythe Lighting District No. 1," and such moneys shall be expended only for the improvements described in Section 4 above.

<u>Section 15</u>. The City Clerk is hereby authorized and directed to file the diagram and assessment, or a certified copy of the diagram and assessment, with the County Auditor, together with a certified copy of this Resolution upon its adoption.

Section 16. A certified copy of the diagram and assessment shall be filed in the office of the Planning Director, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

PASSED, APPROVED, and ADOPTED this 14th day of August 2007, by the following called vote, to wit:

AYES: NOES: ABSENT:		
ATTEST:	Robert A. Crain, Mayor	
Virginia Rivera, City Clerk (S E A L)		

RESOLUTION NO. 07-731

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

THE CITY COUNCIL OF THE CITY OF BLYTHE HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (hereinafter referred to as the "Act"), the City Council of the City of Blythe, by its Resolution No. 07-702, initiated proceedings for the levy and collection of assessments against lots and parcels of land within City of Blythe Lighting District No. 2 (hereinafter referred to as the "District"), for the fiscal year commencing July 1, 2007 and ending June 30, 2008 and ordered the Engineer, GFB-Friedrich & Assoc., Inc., to prepare a written report in accordance with Article 4 of Chapter 1 of the Act. The City Council, by its Resolution No. 07-713 approved such Engineer's Report, and, by its Resolution No. 07-715, declared its intention to levy and collect assessments against lots and parcels of land within the District.

Section 2. Following notice duly given in accordance with law, the City Council has held a full and fair public hearing regarding its Resolution No. 07-715, the Engineer's Report prepared in connection therewith, and the levy and collection of the proposed assessment within the District for fiscal year 2007-2008 to pay for the costs and expenses of the improvements described in Section 4 below. All interested persons were afforded the opportunity to hear and be heard. The City Council has considered all oral and written statements, protests and communications made or filed by interested persons. All protests and objections to the levy and collection of the proposed assessment for the fiscal year commencing on July 1, 2007 and ending on June 30, 2008 are hereby overruled by the City Council.

Section 3. Based upon its review of the Engineer's Report and other reports and information, the City Council hereby finds and determines that (i) the land within the District will be benefited by the improvements described in such Engineer's Report, (ii) the District includes all of the lands so benefited, (iii) the net amount to be assessed upon the lands within the District for the 2007-2008 fiscal year, in accordance with the Engineer's Report, is apportioned by a formula and method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements; and (iv) only special benefits are assessed and no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

Section 4. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: The maintenance and servicing of existing and proposed public lighting facilities, including traffic signals, and appurtenant facilities installed and constructed in public places in the District. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities to remove or cover graffiti. Servicing means the furnishing of water for the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of appurtenant facilities.

Section 5. Lots or parcels of land within the District that are owned or used by any county, city, city and county, special district or any other local governmental entity, the State of California, or the

C 5 3

United States shall be assessed unless the City demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements.

Section 6. All railroad, gas, water, and electric utility right-of-way and utility line right-of-way which are included within the District shall be assessed in accordance with the benefits received from the improvements.

<u>Section 7</u>. The City Council hereby confirms the diagram and assessment, with respect to the parcels in the District, as originally proposed in the Engineer's Report.

<u>Section 8.</u> The assessment is in compliance with the provisions of the Act and Article XIIID of the California Constitution.

Section 9. The assessment is levied without regard to property valuation.

<u>Section 10</u>. The assessment is levied for the purpose of paying the costs and expenses of the improvements described in Section 4 above for the fiscal year commencing on July 1, 2007 and ending on June 30, 2008.

Section 11. The adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

Section 12. The improvements shall be performed pursuant to law.

Section 13. The County Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment, and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

Section 14. The City Treasurer shall deposit all moneys representing assessments collected by the County to the credit of a special fund known as "Improvement Fund, City of Blythe Lighting District No. 2," and such moneys shall be expended only for the improvements described in Section 4 above.

<u>Section 15</u>. The City Clerk is hereby authorized and directed to file the diagram and assessment, or a certified copy of the diagram and assessment, with the County Auditor, together with a certified copy of this Resolution upon its adoption.

Section 16. A certified copy of the diagram and assessment shall be filed in the office of the Planning Director, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

PASSED, APPROVED, and ADOPTED this 14th day of August 2007, by the following called vote, to wit:

AYES: NOES: ABSENT:		
A MANUFACIAN V M. O	Robert A. Crain, Mayor	militari di
ATTEST:		
Virginia Rivera, City Clerk		

RESOLUTION NO. 07-732

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE DETACHMENT OF TERRITORY FROM CITY OF BLYTHE LIGHTING DISTRICT NO. 1

THE CITY COUNCIL OF THE CITY OF BLYTHE HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. The City Council of the City of Blythe hereby (1) finds that the public interest and convenience requires and (2) orders the detachment of territory, described below in Section 2 of this Resolution, from an existing lighting district located within the City of Blythe, excluding the City of Blythe sewage treatment plant, the Chuckawalla and Ironwood Prison property (City of Blythe Annexation No. 41), and the territory annexed to the City of Blythe pursuant to City of Blythe Annexation Nos. 43, 44, 45, 46 and 50, designated as City of Blythe Lighting District No. 1 (hereinafter referred to as the "District"), as shown on a map of the District on file in the office of the City Clerk and open to public inspection, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (hereinafter referred to as the "Act"), commencing July 1, 2007.

Section 2. The territory proposed to be detached from the District includes six (6) sites comprised of thirteen (13) parcels. The first site, referred to as Tentative Tract Map 34480, is located south of Interstate Highway 10 on the east side of Riviera Drive; the second site, referred to as Tentative Tract Map 34499, is located on the east side of North Broadway south of Tenth Avenue; the third site, referred to as Tentative Tract Map 34793, is located south of Chanslorway west of Intake Boulevard; the fourth site, referred to as Tentative Tract Map 35175, is located on the southwest corner of Chanslorway and Intake Boulevard; the fifth site, referred to as Amended Tentative Tract Map 28862 and Tentative Tract Map 34986, is located north of Tenth Avenue on the west bank of the Colorado River; and, the six site, referred to as Tentative Tract Map 35126, is located on the west side of North Broadway north of the existing Sonora Tract. Said sites are more specifically described as Assessor's Parcel Numbers: 869-230-014, -015, 869-250-016 and -017; 839-130-001 and -002; 851-009-014 and -015; 851-090-006 and -007; 833-170-006 and 833-150-008; and, 839-100-001 respectively. Such territory is shown on a map on file in the office of the City Clerk and open to public inspection.

Section 3. Reference is hereby made to the Engineer's Report adopted by Resolution 07-711 on June 24, 2007, on file in the office of the City Clerk, for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the assessments upon assessable lots and parcels of land within the District.

Section 4. The detachment of the territory to be detached, described above in Section 2 of this Resolution, is hereby conditioned upon the completion of the annexation of the same territory, described above in Section 2 of this Resolution, to the City of Blythe Lighting District No. 2.

PASSED, APPROVED, and ADOPTED this 14th day of August, 2007, by the following called vote, to wit:

AYES: NOES: ABSENT:		
ATTEST:	Robert A. Crain, Mayor	HOUSE HOUSE STATE OF THE STATE
Virginia Rivera, City Clerk (S E A L)		

RESOLUTION NO. 07-733

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE ANNEXATION OF TERRITORY TO CITY OF BLYTHE LIGHTING DISTRICT NO. 2, CONFIRMING A DIAGRAM AND ASSESSMENT, ORDERING THE IMPROVEMENTS AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH TERRITORY FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

THE CITY COUNCIL OF THE CITY OF BLYTHE HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (hereinafter referred to as the "Act"), the City Council of the City of Blythe, by its Resolution No. 07-703, initiated proceedings for the annexation of territory to City of Blythe Lighting District No. 2 (hereinafter referred to as the "District") and the levy and collection of assessments within such territory for the 2007-2008 fiscal year and ordered the Engineer, GFB-Friedrich & Assoc., Inc., to prepare a written report in accordance with Article 4 of Chapter 1 of the Act. The City Council, by its Resolution No. 07-713, approved such Engineer's Report, and by its Resolution No. 07-714 declared its intention to annex such territory to the District and to levy and collect assessments within such territory for fiscal year 2007-2008.

Section 2. Following notice duly given in accordance with law, the City Council has held a full and fair public hearing regarding its Resolution No. 07-714, the Engineer's Report prepared in connection therewith, the annexation of territory to the District, and the levy and collection of the proposed assessment within such territory for fiscal year 2007-2008. All interested persons were afforded the opportunity to hear and be heard. The City Council considered all oral and written statements, protests and communications made or filed by interested persons and tabulated all ballots. The City Council hereby finds that a majority protest does not exist as defined in Section 4(e) of Article XIIID of the California Constitution. All protests and objections to the annexation of territory to the District and the levy and collection of the proposed assessment against lots or parcels of property within the annexed territory for fiscal year 2007-2008 are hereby overruled by the City Council.

Section 3. The City Council hereby orders the annexation of territory previously described in Resolution No. 07-714 to the District. The District will continue to be designated as City of Blythe Lighting District No. 2.

Section 4. Based upon its review of the Engineer's Report and other reports and information, the City Council hereby finds and determines that (i) the land within the annexed territory will be benefited by the improvements as described in such Engineer's Report, (ii) the annexed territory includes all of the lands so benefited, (iii) the net amount to be assessed upon the lands within the annexed territory for the 2007-2008 fiscal year, in accordance with the Engineer's Report, is apportioned by a formula and method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements; and (iv) only special benefits are assessed and no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

<u>Section 5</u>. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: The operation and maintenance of public streets and sidewalks

within the District, including the operation, maintenance and servicing of existing and proposed public lighting facilities, including traffic signals, landscaping, including trees, shrubs, grass and other ornamental vegetation, and appurtenant facilities, including irrigation systems, installed and constructed in and along public roadways, streets and rights-of-way within the boundaries of the City. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities, or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities or for the lighting or operation of landscaping or appurtenant facilities.

Section 6. Lots or parcels of land within the annexed territory that are owned or used by any county, city, city and county, special district or any other local governmental entity, the State of California, or the United States shall be assessed unless the City demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements.

Section 7. All railroad, gas, water, and electric utility right-of-way and utility line right-of-way which are included within the annexed territory shall be assessed in accordance with the benefits received from the improvements.

<u>Section 8</u>. The City Council hereby confirms the diagram and assessment, with respect to the annexed parcels, as originally proposed in the Engineer's Report.

Section 9. The assessment is in compliance with the provisions of the Act and Article XIIID of the California Constitution.

Section 10. The assessment is levied without regard to property valuation.

Section 11. The assessment is levied for the purpose of paying the costs and expenses of the improvements described in Section 5 above for the fiscal year commencing on July 1, 2007 and ending on June 30, 2008.

Section 12. The adoption of this Resolution constitutes the levy of an assessment for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

Section 13. The improvements shall be performed pursuant to law.

Section 14. The County Auditor of Riverside County shall enter on the County Assessment Roll opposite each lot or parcel of land the amount of the assessment and such assessments shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the assessments shall be paid to the City Treasurer.

Section 15. The City Treasurer shall deposit all moneys representing assessments collected by the County to the credit of a special fund known as "Improvement Fund, City of Blythe Lighting District No. 2," and such moneys shall be expended only for the improvements described in Section 5 above.

Section 16. The City Clerk is hereby authorized and directed to file the diagram and assessment, or a certified copy of the diagram and assessment, with the County Auditor, together with a certified copy of this Resolution upon its adoption.

Section 17. A certified copy of the diagram and assessment shall be filed in the office of the Planning Director, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

PASSED, APPROVED, and ADOPTED this 14th day of August 2007, by the following called vote, to wit:

AYES:
NOES:
ABSENT:

Robert A. Crain, Mayor

ATTEST:

(SEAL)

TO:

Mayor and City Council

RDA Chair and Board of Directors

FROM:

City Manager/Executive Director

SUBJECT:

Golf Course 5 Year Recovery Plan - Revise Green Fee Schedule

DATE:

August 14, 2007

BACKGROUND

As Council and staff have discussed on numerous occasions, the Blythe Municipal Golf Course (and its affordability) is a cornerstone in promoting the community as an attractive option for seasonal visitors. Unfortunately, the golf course is also an Enterprise Fund that is sinking under the weight of its own deficit even with the \$200,000 annual subsidy from the General Fund.

During the 2007-08 budget development everyone finally had to acknowledge (facing a \$1 million plus deficit) that the nominal every other year adjustments to the Golf Course fee schedule have not nearly been enough, barely slowing the course's descent into fiscal insolvency. If unchecked, there will continue to be no money for course improvements, new and replacement equipment or additional maintenance personnel, elements that combine to equal course neglect. By necessity, the City of Blythe must implement several corrective actions (including a revised fee structure) that will return the operation to fiscal soundness.

DISCUSSION

To recapture fiscal soundness, the Blythe Municipal Golf Course needs a financial turnaround strategy. By this report staff is proposing a basic 5 year recovery plan. Some elements of the plan will have to be submitted at a later meeting with the accompanying documentation, while other elements will evolve and change as circumstance dictates. What cannot change, however, and cannot wait any longer is the need to start implementing corrective actions with the immediate emphasis on revising the fee structure.

STEP 1

The golf course will sell its maintenance facility, equipment and inventory to the Blythe Redevelopment Agency for \$1 million over a 5 or 6 year period. Two hundred thousand (\$200,000) will be paid immediately (October 31, 2007) to the Enterprise Fund with the \$800,000 balance due in the last year. Secured by a Promissory Note the RDA will make 6% interest payments (\$48,000) on the balance in the interim years (FY08-09, 09-10, 10-11 and perhaps 11-12) with the balloon balance due October 31, 2112. It's a sale and lease back transaction that will be financed out of the Agency's tax-exempt fund. It is also a transaction that is structurally necessary to prop-up the Golf Course Fund, infusing some cash necessary to stabilize the operation. While chronologically the first step in the recovery plan, this element also requires more documentation (e.g, Sale and Lease Back Agreement) that will be submitted later for Council/RDA consideration.

STEP 2

The nominal adjustments in the golf course fee schedule (increases every other year) have not arrested the operation's decline into its deficit. Staff is proposing a 5 year fee schedule (Attachment 1) that should keep our course relatively competitive in the market, while achieving financial solvency in FY11-12. Aside from rate increases, the revised fee schedule also anticipates immediately eliminating the 5 day/7 day monthly pass, a \$25,000 contribution increase from the General Fund in the third year, and by the fifth year maybe eliminating the annual pass. To make payment options more convenient for our customers, the Blythe Municipal Golf Course will begin accepting credit card payments no later than September 1, 2007.

STEP 3

For at least the last ten years the golf course has consistently/continually lost money. Constantly short of funds, the product is the best staff can make it with very little money, but it's not good enough if the City is going to ask the customers to pay more to play. Beginning in FY 09-10 the City of Blythe Municipal Golf Course will embark on a series of significant course improvements to enhance the playing experience for our customers, including new equipment and additional maintenance personnel (Attachment 2). Council may wish to consider an advisory Ad Hoc Committee to help prioritize and sequence (and even identify) the improvements desired by the playing public.

RECOMMENDATIONS - CITY COUNCIL

- 1. Endorse the sale of the Blythe Municipal Golf Course maintenance facility, equipment and inventory to the Blythe Redevelopment Agency over 5 or 6 years for \$1,000,000; \$200,000 due in FY07-08; interest (at 6%) only payments in FY's 08-09, 09-10, 10-11 and 11-12; the \$800,000 balance due October 31, 2012. This transaction will require a Sale and Lease Back Agreement between the City of Blythe and the Blythe Redevelopment Agency.
- 2. Approve Resolution No. 07-725 establishing the Blythe Municipal Golf Course fee schedule for the next 5 year period, that schedule to include the immediate elimination of the 5 day/7 day monthly passes.

RECOMMENDATIONS – REDEVELOPMENT AGENCY

1. Endorse the purchase of the Blythe Municipal Golf Course maintenance facility equipment and inventory. The purchase price will be \$1,000,000 spread over 5 or 6 years; \$200,000 due by October 31, 2007; interest (6%) only payments in FY's 08-09, 09-10, 10-11 and 11-12; the \$800,000 balance due in FY12-13 (assuming a 6 year schedule).

Respectfully submitted,

Les Nelson

City Manager/Executive Director

Attachments

RESOLUTION NO. 07-725

A RESOLUTION OF THE BLYTHE CITY COUNCIL ADOPTING GOLF COURSE GREEN FEE SCHEDULE AND REFUND POLICY

Section 1. The following fees to be charged at the Blythe Municipal Golf Course are hereby established:

DAILY GREEN FEES		06-07 <u>nt Rate</u>		007-08 osed Rate
9 holes (October-May)	\$	15	\$	18
18 holes	\$	30	\$	36
9 holes (June – September)	n/	a	\$ \$ \$	10
18 holes	\$	12	\$	15
*Juniors	\$	5	\$	5
MEMBERSHIP				
Annual Single	\$ 9	900	ø	1 200
*Juniors		125	\$ \$	1,200 125
Punchcards (Good for 12 Months)				
10 punch		200	\$	275
25 punch	\$ 3	375	\$	475
Summer Punchcards (June through Septem 10 punch	iber) \$	80	\$	100

DAIL V OREEN EEEG	2008-09 <u>Proposed Rate</u>	2009-10 Proposed Rate
DAILY GREEN FEES 9 holes (October – May)	\$ 21	ሰ ጋሮ
18 holes		\$ 25 \$ 45
9 holes (June – September)	\$ 41 \$ 12 \$ 18 \$ 5	\$ 45 \$ 15
18 holes	\$ 18	\$ 20
*Juniors	\$ 5	\$ 45 \$ 15 \$ 20 \$ 10
MEMBERSHIP		
Annual		:
Single	\$ 1,500	\$ 1,865
*Juniors	\$ 125	\$ 150
Punchcards (Good for 12 Months)		
10 punch	\$ 350	\$ 425
25 punch	\$ 675	\$ 750
Summer Punchcards (June through Septem	ber)	
10 punch	[°] \$ 125	\$ 150

	2010-11 <u>Proposed Rate</u>	
DAILY GREEN FEES		Proposed Rate
9 holes (October – May)	\$ 30	\$ 30
18 holes	\$ 50	\$ 50
9 holes (June – September)	\$ 20	\$ 20
18 holes	\$ 50 \$ 20 \$ 25 \$ 10	· · · · · · · · · · · · · · · · · · ·
*Juniors	\$ 20	\$ 25
Juliors	\$ 10	\$ 10
MEMBERSHIP		
Annual		
Single	\$ 2,350	\$ 2,500
*Juniors	\$ 150	\$ 150
	Ψ 130	Ψ 130
Punchcards (Good for 12 Months)		
10 punch	Eliminate	Eliminate
25 punch	\$ 900	\$ 1,025
zo parion	φ 900	\$ 1,025
Summer Punchcards (June through Septem	ther)	
10 punch	\$ 150	\$ 150
TO pullon	φ 150	\$ 150

Section 2. The City of Blythe Municipal Golf Course refund policy for all membership programs and fees shall only be considered for verified medical purposes, and shall be prorated to reflect actual usage.

Section 3. The fee schedule established above shall be effective October 1, 2007 for FY 2007-08, and July 1st of each subsequent year.

PASSED, APPROVED and ADOPTED this 14th day of August 2007 by the following called vote, to wit:

AYES: NOES: ABSENT:

Mayor Robert A. Crain

ATTEST:

Virginia Rivera, City Clerk

(SEAL)

		2007	2007 / 2008	200	2008 / 2009	200	2009 / 2010	201	2010/2011	2011	2011 / 2012	201	2012 / 2013
Beginning Account Balance		€9	15,566.00	\$ (11	\$ (118,833.70)	\$ (17	\$ (172,380.50)	\$	(90,745.49)	\$ 12	126,915.30	&÷ 99	355,265.31
REVENUES	•												
Daily Green Fees 9 Holes 18 Holes	(9/18)	\$2.00	\$2.00 / \$2.00 18.00 36.00	\$2.25 \$ \$	\$2.25 / \$2.00 \$ 21.00 \$ 41.00	\$2.77 \$	\$2.77 / \$2.50 \$ 25.00 \$ 45.00	સ્ટ્રે જ જ જ	\$3.33 / \$2.77 \$ 30.00 \$ 50.00	\$3 \$ \$	\$3.33 / \$2.77 \$ 30.00 \$ 50.00	\$3.33 \$	\$3.33 / \$2.77 \$ 30.00 \$ 50.00
Annual Membership Single Juniors		ю ю •	0.93	69 69	1,500.00	↔ ↔	1,866.24	બ ∵બ	1.81	69 69	1.92	6 3 63	1.92
Punch Cards 10 punch 25 punch	(10/25)	\$1.52 \$ \$	\$1.52 / \$1.05 \$ 275.00 \$ 475.00	\$1.9v	\$1.94 / \$1.50 350.00 \$ 675.00	\$2.00	\$2.00 / \$1.66 \$ 450.00 \$ 750.00	\$3.0	\$3.05 / \$2.00 550.00 900.00	\$3.05	\$3.05 / \$2.27 \$ 550.00 \$ 1,025.00	\$3.0	\$3.05 / \$2.27 \$ 550.00 \$ 1,025.00
Estimated Revenues 9 Holes 18 Holes Annual Gen. Fund Transfer Other Revenues Total		\$ 103 \$ 236 \$ 206 \$ 206	103,021.20 239,475.60 265,747.50 200,000.00 81,600.00	\$ 12 \$ 28 \$ 28 \$ 32 \$ 20 \$ 8	123,588.90 288,108.00 328,612.50 200,000.00 81,600.00	\$ \$ \$ 33 \$ 22 \$ 22 8 22 8 22 8 22	155,884.50 336,899.52 411,480.00 225,000.00 81,600.00	8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	188,889.75 390,654.00 517,207.50 225,000.00 81,600.00 ,403,351.25	\$ 190 \$ 5419 \$ 522 \$ 8 8 8 1477	\$ 198,251.55 \$ 419,833.44 \$ 548,640.00 \$ 225,000.00 \$ 81,600.00 \$ 1,473,324.99	25 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	198,251.55 419,833.44 548,640.00 250,000.00 81,600.00 498,324.99
ESTIMATED EXPENSES		\$1,024	\$1,024,244.00	\$1,07	\$1,075,456.20	\$1,12	\$1,129,229.01	\$ 1,1	\$ 1,185,690.46	\$1,24	\$1,244,974.98	\$1,30	\$1,307,223.73
Difference		\$ (134	(134,399.70)	\$ (5	(53,546.80)	&	81,635.01	€ \$	217,660.79	\$ 228	228,350.01	\$ 19	191,101.26
Estimated Revenue Per Round Estimated Revenue Per Hole		6 9 69	27.81	↔	31.94	69 69	37.85	69 69	43.86	es es	46.05	⇔ ↔	46.83
Break Point Break Point Per Hole		6 69	32.06 1.78	•> •>	33.67 1.87	69 69	35.35 1.96	क क	37,12 2.06	os os	38.91 2.16	so so	40.86
Break Point Difference Round Break Point Difference Per Hole	-	6 69	(4.25) (0.24)	6 6	(1.73)	69 69	2.50	69 69	6.75	es es	7.14	69 69	5.97

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	Other Revenues.		Facilities Rentals	Pro Fees/Carts Ect	20%	S Sign	Sali
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GOLF COURSE FIVE YEAR CAPITAL PROJECTS PLAN

July 18, 2007

This plan will address the needs of the golf course from now, looking forward five years. The three areas addressed will be equipment, personnel and course improvements.

EQUIPMENT

The golf course has placed a priority on equipment for many years. This helps tremendously as downtime for breakdowns and maintenance time by the golf course equipment mechanic can remain at a minimum and maintenance staff uptime is at a maximum. We want to move into the future with this same frame of mind. The golf course will need, at a minimum,

1.	1ea.	6500-D Five gang reel mower, fairways	\$43083.92
2.	1ea.	4000-D Hydraulic rotary mower, rough	\$45339.32
3.	2ea.	3150 Triplex greens mower, greens	\$46895.34
		1 in 2008 and 1 in 2011\	

The prices are current from CMAS contract, through Toro. Tax is not included.

PERSONNEL

Throughout the city, personnel is always an issue. With the current structure and staffing level, it is a monumental struggle to just maintain the course properly. This maintenance level does not include extra time for projects and course improvements. The level of maintenance currently provided justifies our fees and really, higher fees.

You cannot play a round of golf anywhere else on a course as challenging and in as good condition as the City of Blythes for anywhere near the price we charge. That being said, our customers are very demanding (spoiled) and will expect to see significant improvements for significant fee changes. If we add a staff maintenance worker in 2008 and another in 2011, that will go a long way toward shifting our maintenance level to another gear.

COURSE IMPROVEMENTS

SAND TRAPS

There are 25 sand traps on the course. This year we will replace 2 of them with grass bunkers so there will remain 23. The remaining traps need to be brought up to USGA specifications. The way the traps are now, if you are in a green side trap, the best play out is usually with a putter. To accomplish the trap rehabilitation, we would remove the current sand, excavate the trap deeper, place drainage tiles in the bottom of the excavation, cover the bottom with a barrier material to prevent native sand from contaminating the sand trap sand and refill the trap with a USGA spec sand to 6 inches throughout. Starting next fiscal year, if we plan and budget for it, we could bid out the job and do eight traps a year. Over the course of three years, all the traps would be rehabilitated. The total cost estimate for 23 traps at 1000 square feet each trap at \$6.50 per square foot is \$149,500 or roughly \$50,000 each year for three years. This is a generous estimate but does include money for contingencies and for time moving forward.

FENCING

To enhance the first impression and overall appearance of the golf course, construct a cedar two rail, 3 foot high split rail fence along Wells Road from #9 tee all the way up past #18 tee, behind #17 green, behind #12 tee and #13 green and then on Arrowhead behind #15 green and #16 tee.

IRRIGATION SYSTEM RENOVATION

This project has already begun. The Golf Course Irrigation Technician audits a hole according to industry accepted standards, then installs additional heads where indicated by the audit. This involves trenching, adding new pipe and a new irrigation

head, wiring the head to the irrigation controller, programming the irrigation controller and the central irrigation control system with the electrical and hydraulic information that will allow the new head to operate. We have already purchased almost all of the materials to install 100 additional heads. That will bring us closer to the industry accepted and California State Assembly Bill #325 Model Water Efficient Landscape Ordinance standard of 80% efficiency. We will then have a much more even application of water resulting in a more pleasing and evenly green appearance of the turf grass and electrical savings as well. This project is ongoing and we make progress as time allows. Because the irrigation system is about 20 years old, we spend about 80% of our time repairing it and 20% improving it.

LAKE FILL WELL PUMP

Attached you will find a letter addressing this improvement project. More than anything, this will be a major upgrade to the top twelve hole at the golf course. This water is very good quality and will, in time, leach the salts from the soil that inhibits the healthy growth of the turf grass on these twelve holes. The improvement will be dramatic.

TEE BOX ENHANCEMENTS

An area that we should consider upgrading is the tee boxes. I play golf out of town quite often. Most golf courses treat their tees like an entry way to the hole. They have nice fixtures and, at least for me, they are memorable. We should purchase first class ball washers with our course name on them, a golf club washer, a nice box for sand and seed and new tee markers. These are all things the golfers use and appreciate.

1.	18	Ball Washers	\$3355
2.	20	Club Washers	\$5872
3.	20	Sand Containers	\$5585/\$3210
4.	120	Tee Markers (40ea. Red, White, Blue)	\$2004

PLAYABILITY

Mow over fairway yardage markers are an item that speeds play, golfers appreciate as do maintenance personnel.

	<u> </u>		
1. 60	24 inch Markers (20ea. Red, White, Blue	\$453

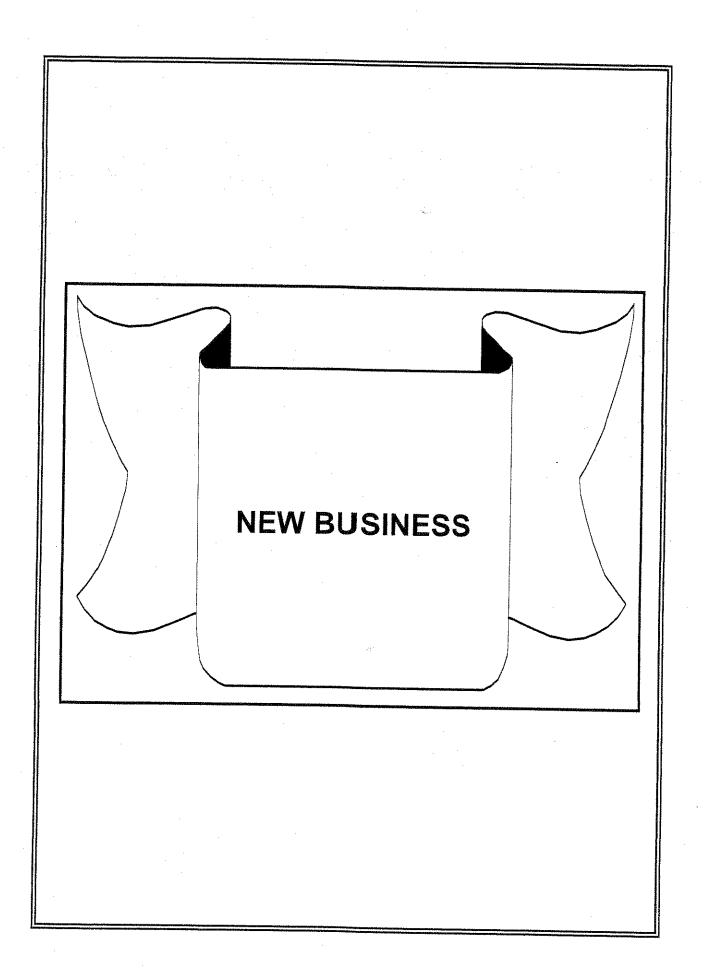
TREE MAINTENANCE

There are 303 El Darica, Allepo and Canary Island pine trees on the golf course. About 80 of them need crown reduction and dead branch removal. Performing this maintenance will improve the health and appearance of these trees. On the same order of magnitude are pine trees on the course that need a systemic pesticide treatment. The trees are infested with spider mites and cause a desiccation of the needles and unsightly brown or bare areas.

1.	Trim 80 pine trees (labor and removal)	\$20000
2.	Treat 80 pine trees (labor and chemicals)	 \$15000

TEE BOX CONSTRUCTION

I think we should identify two or three tee areas on the back nine to enhance as we did 1,3,4 & 6 on the front. The back nine is flat and comparatively featureless. It would benefit from a facelift of sorts that some new tee looks could provide. These run from five to ten thousand each if we build them.



BLYTHE CITY COUNCIL

TO:

MAYOR AND CITY COUNCIL

FROM:

A.C.M. - C. HULL

DATE:

AUGUST 14, 2007

SUBJECT:

CITY FLAG DESIGN

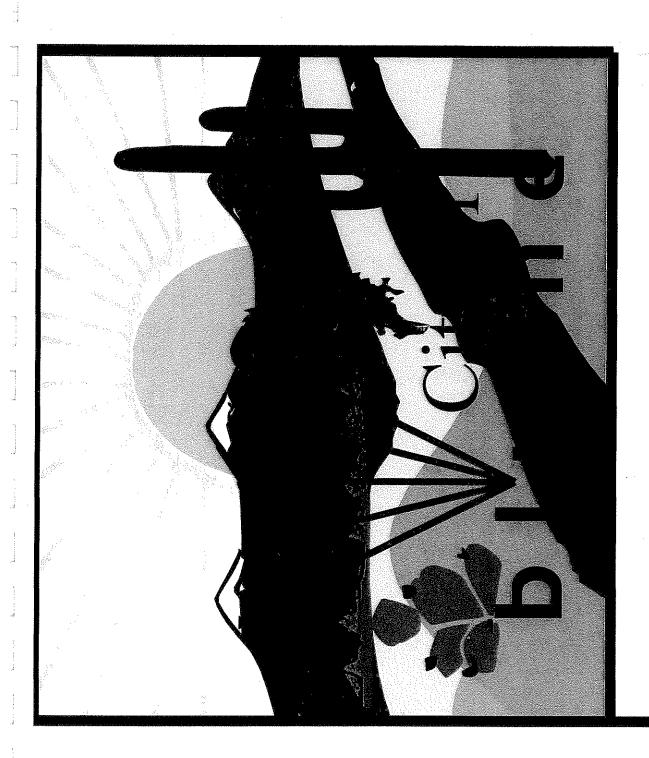
BACKGROUND:

At Council's direction, staff designed and installed three flag poles into the new Gateway Park. The third pole was intended for a new City flag. Attached are several ideas that have been assembled for Council's consideration. If there is a majority consensus on one particular design, staff would like to go forward with a City of Blythe flag.

RECOMMENDATION:

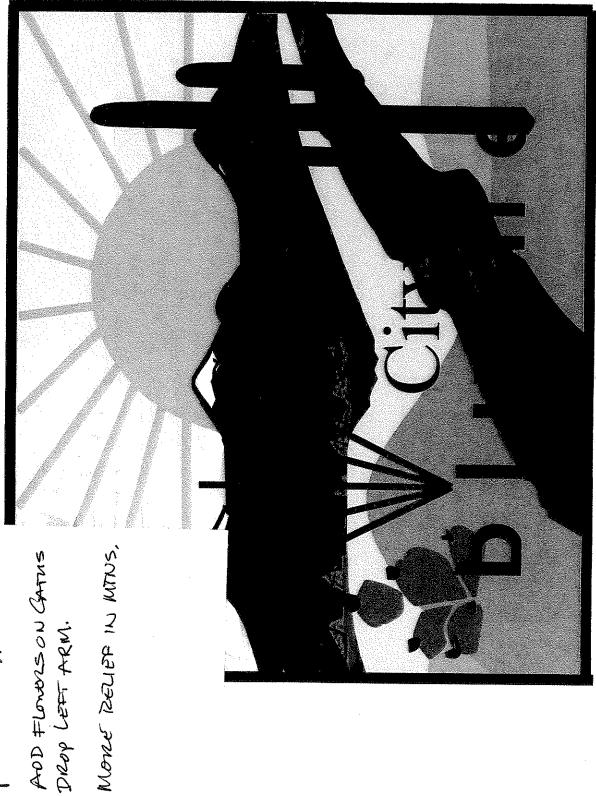
Select one design and direct staff to manufacture the first City of Blythe flag.

Concurrence by City Manager: Oks Welson



INSPACE SUN FRAM. PICTURE # # 7.

ADD FLOWERS ON GATUS DROP LEFT ARM.

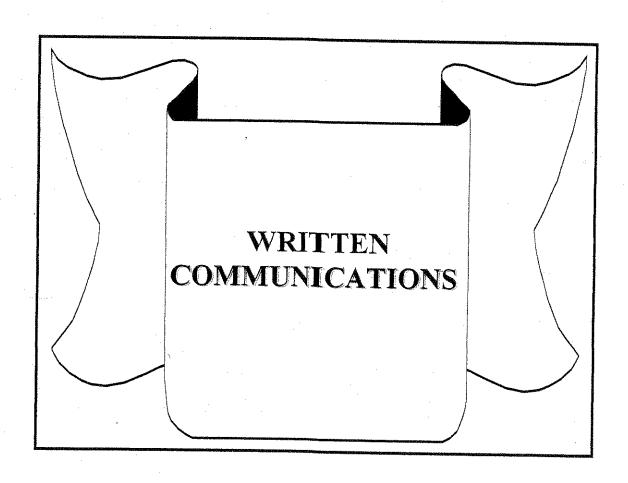












TO:

Mayor and City Council

FROM:

City Manager

SUBJECT:

Request for Assistance – Sheltering Wings Corporation

DATE:

August 14, 2007

BACKGROUND

Attached herewith is a request from Sheltering Wings Corporation seeking \$2,556 as a 1/3 contribution toward the local match share necessary to continue receiving a Department of Rehabilitation Establishment Grant (Attachment 1). A similar request has been made to Riverside County, and it was conveyed to City staff that the County would participate if the City participated.

Although the request is not ideal in terms of budget cycle, staff does believe Sheltering Wings is back on track under Executive Director Gilliland. The program is viable and clients are being placed in productive employment positions.

RECOMMENDATION

It is recommended that the City Council approve the non-budgeted expenditure of \$2,556 as the City of Blythe's 1/3rd contribution towards the local match share to receive a Department of Rehabilitation Establishment Grant for Sheltering Wings Corporation.

Respectfully submitted,

Les Nelson

City Manager

Attachments

Sheltering Wings Corporation

P.O. Box 565 • Blythe, CA 92226

July 30, 2007

City Manager Les Nelson City of Blythe 235 N Broadway Blythe, CA 92225

Dear Les:

Thank you for your support in the past in helping fund the Department of Rehabilitation Establishment Grant. The subgrantee share to continue the grant for 2007-2008 is \$7,668.00.

Again, I would like to propose that the County of Riverside and City of Blythe each continue to match the funds raised in the private sector. That would amount to 1/3 of the total for each entity. Each third will be \$2,556.00.

I appreciate your consideration and support of this program that will enable us to provide vocational rehabilitation services here in the Palo Verde Valley.

Sincerely,

Verlyn Gilliland

Executive Director

Verlyn Gilliand



OFFICE OF THE DISTRICT ATTORNEY COUNTY OF RIVERSIDE

June 29, 2007

City Manager Les Nelson City of Blythe 235 N. Broadway Blythe, CA 92225

Dear City Manager Nelson,

As your new District Attorney for Riverside County, I have taken under review my legal responsibilities. One such obligation is spelled out in California's Government Code sections 54950 et seq., which is also known as the Ralph M. Brown Act.

As you no doubt have come to appreciate in your elected public service, the Brown Act can be complex and somewhat challenging at times. Moreover, because the Legislature, upon its enactment, entrusted each District Attorney to enforce the law, a Brown Act violation can be serious.

In that light, the District Attorney's office will be offering training so that innocent inadvertence is prevented. Education and training will help us all avoid potential pitfalls. We are fortunate to have the assistance of County Counsel in this training.

My office will be contacting you soon to provide the details. Attached you will find a brief summary of the major components of the Brown Act. In addition to the Brown Act, we expect to cover other subjects important to elected officials, such as, avoiding conflicts of interest.

Lastly, the goal of the Brown Act is embodied as follows:

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for the people to know. The people insist on remaining informed so that they may retain control over the instruments they have created. Government Code § 54950.

As the District Attorney, I am committed to ensuring that our community, that is Riverside County, maintains its high public trust of its elected officials. The basis of our government is integrity and integrity allows it to exist.

Thank you for your public service. I look forward to seeing you soon at one of the training sessions.

Very truly yours,

ROD PACHECO

District Attorney

RP:wsc encls

The following is a brief summary of the major components of the Brown Act.

- 1. Who is subject to the Brown Act? All local governing bodies and any body created by state or federal statute; any board, commission, or committee which is created by charter, ordinance, resolution or formal action of the local body, including permanent, temporary, decision-making and advisory committees; and a board that governs a private entity if the elected local legislative body creates it and delegates some authority to it or if the board of that private entity receives funds from the local government and has a member of the board as a member of the local legislative body.
- 2. What is a meeting? Any gathering of a majority of the members to hear, discuss, or deliberate on any item that is within their subject matter jurisdiction. Serial meetings are prohibited. A serial meeting occurs when a majority of members come to consensus on an issue through personal intermediaries or any other means such as emails, phone calls, letter, etc. As a general rule, meetings must occur within the jurisdiction of the local governing body.
- 3. What are the Public's Rights? At every regular meeting, members of the public have the right to directly address the governing body on any item of public interest if that item is under the jurisdiction of the governing body. At special meetings, members of the public have the right to address the body about any time that is listed in the agenda for that meeting. The governing body may reasonably regulate the public comment, such as limitations on the total time set aside for public comment as whole as well as for each individual speaker.
- 4. **Is an agenda required?** Yes. For <u>regular</u> meetings, the agenda must be posted at least 72 hours prior to the meeting. For <u>special</u> meetings, the agenda must be posted no later than 24 hours prior to the meeting. The agenda must list the time and location of the meeting and be posted in a location open to the public. The agenda shall contain a brief description of each item of business to be discussed, including those items that will be discussed in closed session. For <u>emergency</u> meetings, the 24 hour notice and posting requirements are waived. However, local media shall be advised at least one hour prior to the meeting.
- 5. What action may be taken on items not appearing on the agenda? Generally, members of the governing body cannot act on nor discuss any item not listed on the agenda. However, members may briefly respond to statements or questions by the public. The members may take action on non-agenda items if one of the three following circumstances exist: (1) a majority of the members find that an "emergency situation" as defined under the Act exists; (2) a two-thirds (2/3) majority of the members finds that there is a need for immediate action and they became aware of the item after the agenda was posted; or (3) the item was posted for a meeting that had occurred within the previous five days and the item was continued to the present date.
- 6. What can be discussed in closed sessions? Closed sessions can occur only under specific statutory provisions. These provisions are narrowly construed. Members must be careful to limit their closed sessions to the statutory provisions. A partial list of issues that may be discussed in closed session include real property negotiations, pending litigation, personnel issues, threats to public safety, and labor negotiations. Only items listed in the posted agenda may be discussed in closed session. If the governing body takes any action in closed session, it must report such action to the public, generally at the same meeting when the closed session occurred.
- 7. What are the consequences for violating the Brown Act? There are both civil and criminal penalties. My office may bring a civil action seeking a judicial order declaring the action null and void. Prior to such filing the civil suit, the governing body must be notified and given an opportunity to "cure and correct" the violation. If there are repeated procedural violations of the Act, my office may seek an injunction prohibiting future violations. Criminal sanctions may be sought when a member of a governing body attends a meeting where action is taken in violation of the Act and the member attends that meeting with the intent to deprive the public of information to which the member knows or should know the public is entitled.

72



(760) 922-4111 (760) 922-2246 FAX

August 2, 2007

City of Blythe 235 North Broadway Blythe, California 92225

Re: Duffers Fore Children - Golf Tournament

On Saturday, September 22, 2007, Dobbs Furniture, Electronics & Appliances, along with other Blythe businesses, will be sponsoring the Fourth Annual Charity Golf Tournament for abused children.

We would like to ask the City of Blythe to waive all green fees on this day for participants of this event. In doing so the City of Blythe may record all fees as their donation to our cause. As in the past years, the success of this event is possible only with your support.

Thank you for your consideration in this matter.

Sincerely,

John Dobbs

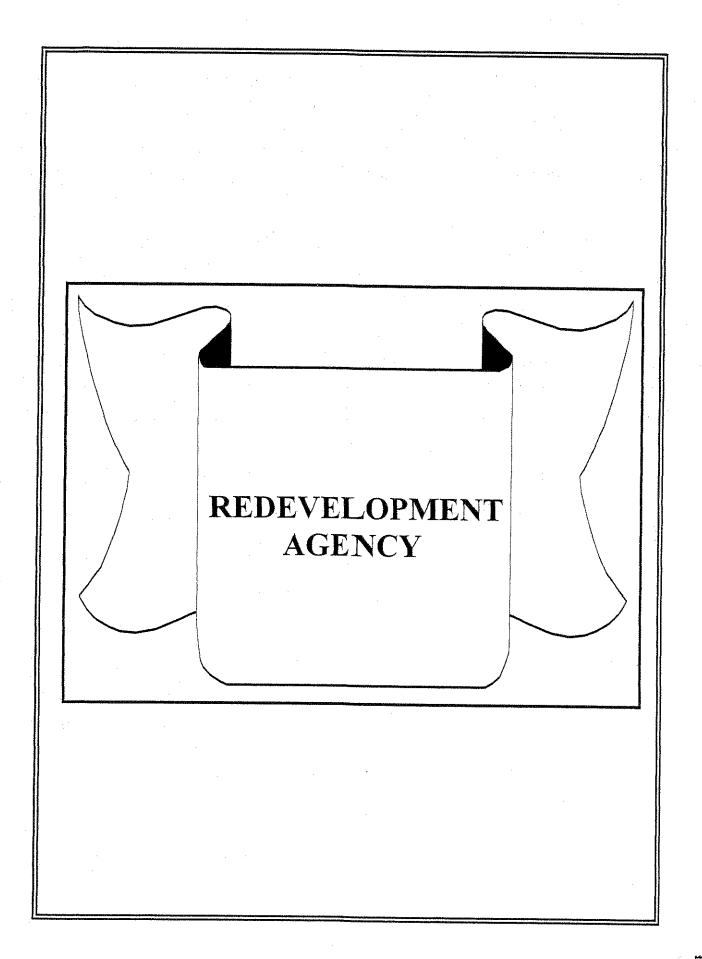
Débb's Furniture, Electronics & Appliances

NOTE: COURSE WILL LIKELY BE IN RESEEDING PROCESS ON SEPTEMBER 22ND; MAY MOVE TO SEPTEMBER 15th.
NORMALLY 80-90 PLAYERS; AT SUMMER GREEN
FEE RATE OF \$12, FISCALIMPLICATION APPROXIMATELY
\$ 1.080.

RECOMMENDATION

APPROVE THE DONATION OF GREEN FEES FOR THE DUFFERS FORE CHILDREN GOLF TOURNAMENT.

Des Welson CITY MANAGER



TO: RDA Chairman and Board Members

FROM: Executive Director

SUBJECT: Palo Verde Hospital

RDA Financial Loan

DATE: August 14, 2007

BACKGROUND

As the RDA Board of Directors is fully aware, the Blythe Redevelopment Agency's willingness to financially intervene on behalf of the struggling Palo Verde Hospital in 2005-06 was critical at the time in keeping the Hospital open and solvent. The RDA's three-tiered financial plan carried a potential price tag of \$2.6 million over 3 years; it was a worst case scenario plan (i.e. maximum obligation to help or watch the Hospital close) that would have emphatically reduced the RDA's financial capability to do any projects during the 3 year period. Frankly, it was a drastic response to an emergency situation. That time has passed, and those days are over.

Today there are no elements of that plan still active or open, nor is there any outstanding debt obligation or money owed by Palo Verde Hospital or the Palo Verde Healthcare District to the Blythe Redevelopment Agency. We are all square.

DISCUSSION

Management at Palo Verde Hospital is asking about a \$365,000 line of credit with Blythe Redevelopment Agency (Attachment 1). Most agree the Palo Verde Hospital still has far to go with its financial recovery. Their difficult situation is compounded by seismic retrofitting requirements per OSHPD, cash flow interruptions exasperated by the lack of a State budget, and divisions between Hospital Management and Medical staff, all of which are dark clouds on the Hospital's financial horizon. Things may work out, but staff is not surprised the Palo Verde Hospital needs financial assistance again. Their request for a \$365,000 line of credit with the Blythe Redevelopment Agency would basically be a reinstitution of Part 2 of the expired former intervention plan. This time staff would recommend certain changes: the \$365,000 would still ultimately be collateralized by the District's Pass Through money, but the loan repayment term is shortened to five (5) years, with fixed annual payments plus 6% interest on the unpaid balance. Further, staff would strongly suggest that advancing money to the Hospital be contemplated only with the incentive that the Healthcare Board of Directors, Management and the Medical Staff agree and provide in writing (with appropriate signatures) support for/implementation of an independent arbitration process relative to credentialing physicians for privileges at Palo Verde Hospital.

Lastly, regarding the request, staff cannot comply with providing the funding (if the RDA Board is so inclined) on one week's notice. Staff will move the request as quickly as possible, but 30 days is a more realistic timeframe.

RECOMMENDATIONS

- It is recommended that the RDA Board of Directors approve a loan amount not to exceed \$365,000 for the Palo Verde Healthcare District, conveying that the loan is available for draw-down until June 30, 2008.
- 2. It is recommended that the RDA Board of Directors approve the \$365,000 as a five (5) year loan, with annual fixed repayments plus 6% interest against the outstanding balance.
- 3. It is recommended that the RDA Board of Directors require Amendment No. 3 to the Healthcare District's Pass Through Agreement and a Promissory Note and Security Agreement as collateral for the \$365,000 loan.
- 4. It is recommended that the \$365,000 loan be conditioned on written affirmation the Healthcare Board of Directors, Management and the Medical Staff have agreed to an independent arbitration process for credentialing physicians for privileges at Palo Verde Hospital.

Respectfully submitted,

Les Nelson

Executive Director

Attachment:



250 North First Street Blythe, California 92225 760.922.4115 www.mypvh.org

Les Nelson Blythe Redevelopment Agency 235 N. Broadway Blythe, CA 92225

July 31, 2007

Re: Palo Verde Health Care District Loan

Dear Mr. Nelson

As you know the hospital has experienced a reduction in revenues over the last few months that is impacting our cash flow. We have now been notified that our cash flow may be further impacted from Medi-Cal and the California Department of Corrections, due to the lack of an approved State Budget.

We would like to confirm that the Line of Credit (approximately \$365,000.00) extended to the District by the RDA is still available on short notice, should the District determine we will need it to fund hospital operations. I would expect that we would be able to provide a one weeks notice to the RDA prior to our needing the funds.

I look forward to hearing from you.

Respectfully,

Richard Fallon

Cc: Jeff Flood Jeff Scott Lee Holter Derek Copple

MINUTES Par BLYTHE REDEVELOPMENT AGENCY SEPTEMBER 12, 2006

The September 12, 2006 regular meeting of the Blythe Redevelopment Agency was called to order by Chairman Crain in the Council Chambers. Also in attendance were Vice Chairman Grotke, Board Members Hernandez, DeConinck and Mays. Staff in attendance included Executive Director Nelson and other Agency staff members.

For auditing purposes, staff needs the RDA Board of Directors to take an affirmative action on draws against the Revolving Fund Account, draws that were approved on the Consent Calendar at Council meetings where there was not a Redevelopment Agency meeting.

APPROVAL OF CONSENT CALENDAR. Broad Member Hernandez moved to approve the Request No. 5 from RDA Revolving Fund Account approved at Council meeting of January 10, 2006. Seconded by Vice Chairman Grotke. Unanimous Aye vote. Absent: DeConinck & Mays.

APPROVAL OF CONSENT CALENDAR. Broad Member Hernandez moved to approve the Request No. 7 from RDA Revolving Fund Account approved at Council meeting of April 11, 2006. Seconded by Vice Chair Grotke. Unanimous Aye vote.

APPROVAL OF CONSENT CALENDAR. Broad Member Hernandez moved to approve the Request No. 8 from RDA Revolving Fund Account approved at Council meeting of May 9, 2006. Seconded by Board Member DeConinck. Unanimous Aye vote. Absent: Mays.

APPROVAL OF CONSENT CALENDAR. Vice Chairman Grotke moved to approve the Request No.10 from RDA Revolving Fund Account approved at Special Meeting of July 18, 2006. Seconded by Board Member Hernandez. Unanimous Aye vote. Absent: Mays.

APPROVAL OF CONSENT CALENDAR. Board Member DeConinck moved to approve the Request No.11 from RDA Revolving Fund Account approved at City Council meeting August 8, 2006. Seconded by Vice Chairman Grotke. Unanimous Aye vote. Absent: Hernandez.

APPROVAL OF MINUTES. Vice Chairman Grotke moved for the approval May 23rd, June 13th and June 27, 2006 Minutes. Seconded by Board Member Hernandez. Ayes: Hernandez, Grotke, Crain. Noes: None. Chairman Crain abstained on Approval of the June 27, 2006 minutes.

PALO VERDE HOSPITAL RDA FINANCIAL INTERVENTION - UPDATE. Executive Director Nelson reported the Blythe Redevelopment Agency's willingness to financially intervene on behalf of the struggling Palo Verde Hospital was critical at the time in saving the Hospital. The Agency's decision to financially stand good behind the Hospital carried a maximum potential price tag of \$2.6 million, structured in the following 3 basic parts: PART 1: An advance of \$100,000 as Amendment No. 1 to the District's Pass Through Agreement. This money, plus interest was repaid by the District to the RDA on May 16, 2006. PART 2: An additional \$500,000 as Amendment No. 2 to the District's Pass Through Agreement. Originally this amount included \$135,000 for acquisition of several hospital-owned residential properties, but the \$135,000/property acquisitions was mutually dropped from the transaction. Of the remaining \$365,000 ultimately authorized, the District only drew-down \$100,000 to set-up an account (for supplies) in a bank so the hospital could be deemed credit worthy and a going concern. The \$100,000 actually borrowed (plus interest) was repaid by the District to the Agency on May 16, 2006. The other \$265,000 is still available (per Amendment No. 2) to the Health Care District without any further action or consideration necessary by the RDA Board of Directors. PART 3: A \$2 million loan, paid out over 3 years, to pay off LifePoint. This part of the deal was going to be facilitated by an Operating Covenant Purchase Agreement secured by a Long Form Deed of Trust. The District never accessed any of this money, instead using their own funds to settle the LifePoint indebtedness. This Part 3 of the RDA financial package is no longer on the table. While finances have improved for the Hospital, a City-sponsored sales tax measure (or something similar) in early 2007 is almost certainly necessary for the long-term future of the Hospital.

Page 2 of 2

Also, staff believes the District will likely have to draw-down their still available \$265,000 secured by Amendment No. 2 to their Pass Through Tax Increment. AHM has made an inquiry relative to the RDA Board of Directors willingness to consider "reloaning" the \$200,000 paid back to the RDA by the District on May 16, 2006 should that become necessary. No public comment.

Vice Chairman Grotke moved to conceptually approve the following: 1.) The RDA Board of Directors rescind Amendment No. 1 to the District's Pass Through Agreement, recognizing that the District has repaid to the RDA the \$100,000. Part 1 of the RDA's financial assistance package is done.

2.) That RDA Board of Directors convey to the District that the \$365,000 secured by Amendment No. 2 to the District's Pass Through Agreement is available for draw-down until June 30, 2007. Part 2 is the only active element remaining in the RDA's financial assistance package. 3.) The RDA Board of Directors direct staff to work with RDA Legal Counsel on preparing the appropriate documentation for rescinding Amendment No. 1, and revising the repayment schedule in Amendment No. 2 to reflect loan repayment (on up to \$365,000) starting July 2007. Seconded by Board Member Hernandez. Unanimous Aye vote.

ADJOURN:

There being no further business to come before the Board the meeting was adjourned.

Robert	Crain,	Chairman	

ATTEST:

Virginia Rivera, Secretary

BLYTHE REDEVELOPMENT AGENCY

TO: CHAIRMAN AND BOARD MEMBERS

FROM: A.C.M. - C. HULL

DATE: AUGUST 14, 2007

SUBJECT: PROPERTY ACQUISITION - VACANT PARCEL ON SOUTH

BROADWAY

BACKGROUND:

The ½ acre parcel between DMV and the old Buy-Rite site on Broadway has had a limited Phase II hydrocarbon evaluation done on the north and south property lines. Down gradient from the tanks to the north, a minor gasoline hit was recorded. It is unknown whether that comes from an existing leak or possibly an old left over trace from the car dealer further north.

The (up-gradient) soil and water samples on the south property line also showed slight traces of hydrocarbon contamination. The tanks at the old Buy-Rite market were pulled years ago. This site is still an open case with the Regional Board. In either case, the amount of material detected is minor enough (today) so as not to be a great concern in staff's opinion. Please refer to the attached report from Holguin, Fahan and Associates.

Relative to the use of the property, staff proposes to send a notice to property owners within 300 feet (Attachment Two) and post the subject property inviting comments to be heard at August 28, 2007 meeting about the Transit Agency using this site. Escrow is scheduled to close on this property on August 31, 2007.

RECOMMENDATION:

Staff recommends Council discuss the detected gasoline issue tonight, continue the item to the August 28, 2007 regular meeting; receive comments about the intended use of this parcel, evaluate the utility of the site for the Transit Agency and direct staff accordingly.

Concurrence by City Manager: Des Welson



August 9, 2007

Mr. Charles 'Butch' Hull Assistant City Manager City of Blythe 235 North Broadway Blythe, California 92225

Subject:

SITE ASSESSMENT SUMMARY REPORT FOR VACANT PROPERTY ON SOUTH BROADWAY ASSESSOR'S PARCEL NO. 848-142-026 BLYTHE, CALIFORNIA

Dear Mr. Hull:

Holguin, Fahan & Associates, Inc. (HFA) is pleased to present the following summary report for the above-referenced site (see Figure 1 - Plot Plan). The site assessment work was directed by the City of Blythe and conducted as part of the due diligence for potential property transfer. A list of acronyms used in this report is included.

SITE LOCATION

The vacant property is located on South Broadway near the corner of 14th Avenue in Blythe, California (see Figure 1). The City indicated that the property has never been developed. The property is bordered by a California Highway Patrol facility with operating UST facilities to the north, and a former UST facility to the south (see Figure 1). The former UST facility has been identified as the Buy Rite Market #439 at 101 East 14th Avenue with an open LUFT case (7T2225052) that is currently managed by the CRWQCB-CRBR.

WORK PERFORMED

The following scope of work, which was proposed by the City of Blythe, was conducted in order to investigate potential hydrocarbons on the subject site related to adjacent property use. The work conducted included:

- drilling two soil borings, utilizing hand-auger methods, to a maximum depth of 12 fbg (see Figure 1, and Attachment 1 for the logs of exploratory boring);
- collection of a total of four soil samples, two samples from each soil boring at 5 and 10 fbg;

ENVIRONMENTAL SCIENTISTS GEOLOGISTS ENGINEERS

Contaminated Site Assessment • Site Remediation • Mobile Remediation • CPT Service • Groundwater Monitoring

www.hfa.com



- · collection of a total of two groundwater samples, one from each soil boring; and
- · analysis of all soil and groundwater samples.

SUMMARY OF FINDINGS

Soil beneath the site consists of silt to approximately 3 fbg, clay from 3 to 8 fbg, and silty sand from 8 to 12 fbg, the maximum depth investigated. No indications of stained soil or odor associated with hydrocarbons were observed. Saturated soil, which is interpreted as the water table groundwater, was encountered between 10 and 11 fbg (see Attachment 1, and Attachments 2 and 3 for the procedures).

Soil and groundwater samples were submitted to a California State certified hazardous material-testing laboratory, where they were analyzed for TPH as gasoline and TPH as diesel by EPA Methods 8260B and 8015B (M), respectively, and for BTEX, MTBE, DIPE, ETBE, TAME, and TBA by EPA Method 8260B. Laboratory analytical results for soil samples indicated one detection of MTBE at 0.013 mg/kg (soil boring B-2 at 10 fbg) (see Table 1 - Summary of Soil Sample Analytical Results, and Attachment 4 for the laboratory report). No other constituents were detected above the laboratory reporting limits.

Laboratory analytical results for groundwater samples indicated maximum concentrations of TPH as gasoline of 280 μ g/l, TPH as diesel of 610 μ g/l, and MTBE of 320 μ g/l, all from soil boring B-2 (see Table 2 - Summary of Groundwater Sample Analytical Results, and Attachment 4). Benzene was not detected.

CONCLUSIONS

The shallow groundwater sampled beneath the site contains no detectable benzene and a maximum MTBE concentration of 320 μ g/l. The MTBE identified in soil appears to be a product of the MTBE identified in groundwater, and not the source of MTBE in groundwater.

Based on the undeveloped status of the property and indications that the property has never been developed, the hydrocarbons in groundwater appear to be migrating under the subject property from adjacent property usage. Additional assessment is warranted to investigate the extent and source of the dissolved-phase hydrocarbons.



Mr. Charles 'Butch' Hull City of Blythe August 9, 2007 - Page 3

Holguin, Fahan & Associates, Inc. trusts that this summary report meets your requirements. If you have any questions or require additional information, please contact Mr. Todd G. McFarland at (909) 422-8988, extension 12, or Todd_McFarland@hfa.com.

Respectfully submitted,

Christopher Griggs

Assistant Environmental Professional Holguin, Fahan & Associates, Inc.

Todd G. McFarland, PG

Senior Geologist

Holguin, Fahan & Associates, Inc.

CAG/IGM:she:ang:yg

Enclosures:

Figure 1 - Plot Plan

Table 1 - Summary of Soil Sample Analytical Results

Table 2 - Summary of Groundwater Sample Analytical Results

List of Acronyms

Attachment 1 - Logs of Exploratory Boring

Attachment 2 - Soil Boring, Direct-Push Sampling, and Well Construction

Procedures

Attachment 3 - Groundwater Monitoring, Sampling, and Sample

Management Procedures

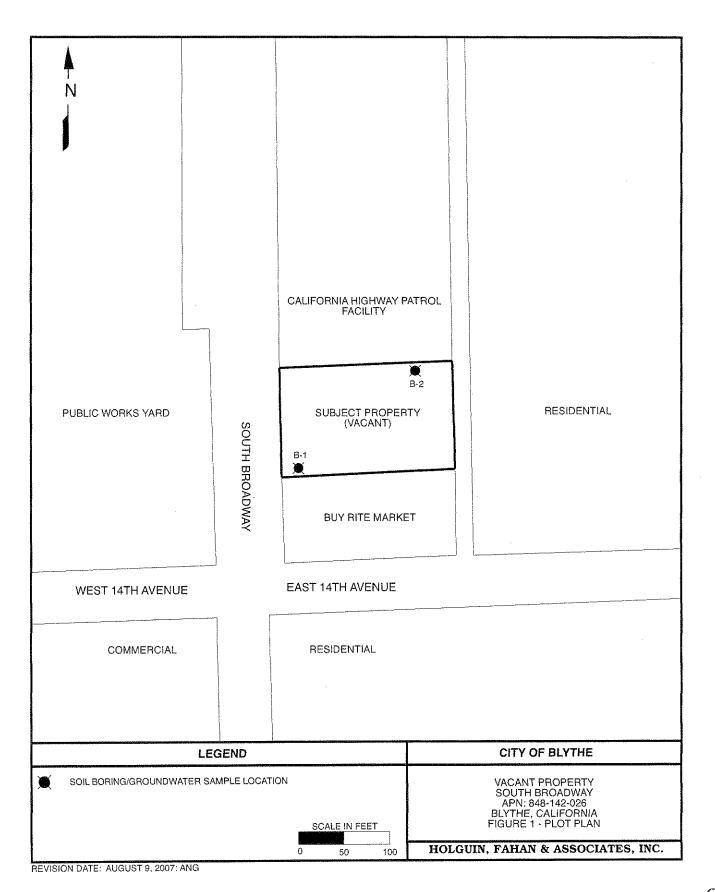
Attachment 4 - Laboratory Report

TODD G.
McFARLAND

MO. 7685

EXP. 1/31/09

TYPE OF CALIFORNIA



SUMMARY OF SOIL SAMPLE ANALYTICAL RESULTS VACANT PROPERTY ON SOUTH BROADWAY, BLYTHE, CALIFORNIA

REF		A/A	A	٨	٧	۲	
TAME	(mg/kg)		<0.002	<0.002	<0.002	<0.002	
ETBE	(mg/kg)		<0.002	<0.002	<0.002	<0.002	
<u>B</u>	(mg/kg)		<0.002	<0.002	<0.002	<0.002	
TBA	(mg/kg)	8260B			<0.020	-	446
MTBE	(mg/kg)		3		<0.002	₹.	December 1
TOTAL XYLENES	(mg/kg)		<0.003	<0.003	<0.003	<0.003	_
ETHYL- BENZENE	(mg/kg)		<0.001	<0.001	<0.001	<0.001	
TOLUENE	(mg/kg)		<0.001	<0.001	<0.001	<0.001	
BENZENE	(mg/kg)		<0.001	<0.001	<0.001	<0.001	
TPH AS DIESEL	(mg/kg)	8015 (M)	<10	<10	<10	<10	
TPH AS GASOLINE	(mg/kg)	8260B	<0.20	<0.20	<0.20	<0.20	
ш		EPA ANALYTICAL METHOD	B-1-5	B-1-10	B-2-5		1
DEPTH	(fgg)		5	10	5	10	
SAMPLE DATE SAMPL SOURCE SAMPLED DEPTH ID			8-1-07	8-1-07	8-1-07	8-1-07	
SAMPLE DATE SOURCE SAMPLE		EPA	면 1-1		B-2		11 -1 -1

<# = not detected at reporting limit indicated.</p>
A = Holguin, Fahan & Associates, Inc.'s current report.

SUMMARY OF GROUNDWAJERSAMPLE ANALYTICAL RESULTS VACANT PROPERTY ON SOUTH BROADWAY, BLYTHE, CALIFORNIA

REF		N/A	A	A	A
TAME	(l/g/l)		6	1.5	
ETBE	(Ng4)		0.10	7	0.12
DIPE	(V6/J)		<1.0	0.1∨	210
TBA	(Ng/J)		>	53	/ Y
MTBE	(V6r/)	В	48	320	7
TOTAL	(VBr/)	82e0B	1.0	Y	.5.
111	(l/6n)		/ <0.5	0.5	<0.5
111	(l/g/l)	September 1	0.7) 3	-Q.5
BENZENE	(hg/l)		<0.5	<0.5	<0.5
TPH AS DIESEL	(//B//)	8015 (M)	009	_	<400
TPH AS GASOLINE	(μg/l)	8260B	4100	280) D
SAMPLE ID		Q		B-2-12	OA-T
DEPTH (fbg)		AL METHC	12	12	N/A
DATE		EPA ANALYTICAL METHOD	8-1-07	8-1-07	8-1-07
SAMPLE SOURCE 8		EP/	B-1	B-2	TRIP BLANK 8-1-07

<# = not detected at method detection limit indicated.</p>
A = Holguin, Fahan & Associates, Inc.'s current report.



August 15, 2007

DRAFT

Re: Pa

Parcel 848-142-026 – Vacant parcel between DMV and Buy-Rite Market, 450 Block of South Broadway

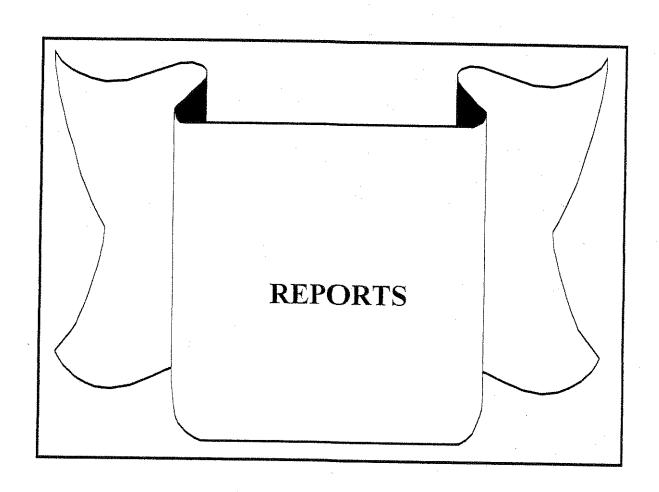
Dear Property Owner:

The Blythe Redevelopment Agency and Blythe City Council will take comments about the above parcel being used by the Palo Verde Valley Transit Agency as a corporation yard for buses and vehicles. The City/RDA is evaluating the site for purchase and your comments are important in that process. You can either address the Blythe City Council at the meeting of August 28, 2007, at the Blythe City Hall, 235 North Broadway at 6:00 or provide your written comments to the City Manager no later than that time and date for Council's consideration.

If you have any questions about this process, please call Assistant City Manager, Charles "Butch" Hull at 921-2740.

Thank you,

DRAFT
Les Nelson,
City Manager



CITY COUNCIL MEETING AUGUST 14, 2007 CITY MANAGER'S REPORT

- At the Council meeting of July 10, 2007, staff approached the City Council with 1. draft language for a ballot measure regarding the City's authorization to be involved in hospital business. The language envisioned a process whereby the measure would be a City Council Initiative. Upon further legal review, staff has been advised the Council Initiative process is procedurally not the right way to get the measure before the voters. The attorneys (3) helping staff point to Government Code Section 37651 that indicates the authorization to be involved in hospital business needs to qualify for the ballot by a voter petition, requiring signatures from 15% of the certified registered voters. In 2005 Blythe had 5,363 registered voters. The differences between the Council Initiative and a voter petition process are very substantial. With the City Initiative the City Council unilaterally initiates the process getting the measure on to the ballot; with a voter petition the City maintains an arm's distance throughout the process. Someone, or some other entity, is responsible for printing the petitions and circulating them for signature by registered voters. The City Council must have an adopted Ordinance in place before the signature gathering describing what the City's authorization actually includes. Finally, through the County Registrar of Voters signatures are checked and certified to be registered voters. In sum, the procedural process for putting the City's hospital authorization measure on a ballot for voter consideration has become significantly "removed" and very much more time consuming. The City can have no financial participation in making it happen. It will require an organized effort separate and outside the City organization. At this point, staff is thinking the measure could get on a ballot in February, June or November 2008.
- 2. At the time of this writing there is still no FY2007-08 budget for the State. The hold-up is in the Senate and some of what staff has read indicates there may very well be no budget until sometime after August 20th. The Assembly passed their version and adjourned until August 20th. Exactly what this means for the City of Blythe and our funds that pass through Sacramento is not yet clear. Staff does know that some governmental entities that rely on regular State appropriations are eligible for, and are applying for, "TRANS loans" which per my understanding is essentially a line of credit.
- 3. Governmental expenditures almost always require a uniform bidding procedure, and that procedure includes bid documents, public advertising and a cost/price evaluation to determine on an impartial basis who is the lowest responsive and responsible bidder. It's a prescriptive process with statutory-required timelines. Not required, however, is the City's off-and-on practice of staff asking Council to approve the request of bids for projects identified in the City's adopted budget. It's a step that only adds time to a procurement process that is not especially time sensitive to begin with, plus the City Council always has the final say when they make a determination regarding the award of bid. Unexpected projects that are not budgeted are different, and staff should always notify Council in advance

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- about soliciting bids for these projects, at a minimum through an appropriation request for an unbudgeted expenditure.
- 4. Miscellaneous . . . Granite work crews will begin mobilizing for the Balszburg road work with actual paving scheduled to start on or about August 20th . . . likely to be on a ballot in 2008 is another eminent domain measure (Attachment 1) and a reconsideration for term limits . . . City Manager will be on vacation the last 2 weeks of August.

Respectfully submitted,

Tes Welson

Les Nelson City Manager

Attachment

AMACHMENT 1 PAGE 1 OF Z

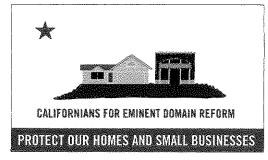
The Truth About the So-Called "California Property Owners and Farmland Protection Act"

Another "Bait and Switch" Initiative Disguised as Eminent Domain Reform Would Abolish Rent Control, Erode Local Community Planning and Jeopardize Environmental Protections

Just one year after voters' rejected a similar scheme (Prop 90), special interests are once again promoting a bait and switch initiative they claim is only about eminent domain reform. The truth is that the so-called "California Property Owners and Farmland Protection Act" (currently in the signature-gathering phase) goes far beyond simple eminent domain reform and contains far-reaching provisions that would eliminate rent control, eviscerate local land-use planning and jeopardize environmental protections. And while proponents claim the measure does not contain any "regulatory takings" provisions, a look into the fine print reveals the opposite. Here are the facts about this measure and why it's bad for California:

- ➤ Eliminates rent control and other laws that protect seniors, single mothers and working families in need. According to the Attorney General this measure "prohibits rent control and similar measures". That means tens of thousands of seniors on fixed incomes, single mothers and working families would lose rent control protections that ensure they can afford adequate housing and a roof over their head.
- Eviscerates local laws that protect the public's health and safety as well as land-use planning efforts that safeguard our homes and neighborhoods. While proponents claim the measure does not contain "regulatory takings" provisions, hidden in the definitions section is a clause that would prohibit laws and regulations that "transfer an economic benefit to one or more private persons at the expense of the private owner". The courts have ruled that virtually all local land-use and planning decisions can transfer economic benefit from one party to another. While Proposition 90 required compensation for such actions, this new measure flatly prohibits any such local regulations and land-use planning. And there is no exemption for laws intended to protect the public's health and safety. So, for instance, a city could be prohibited from regulating the hours of bars and nightclubs in residential areas because of noise, crime or loitering since presumably such laws would cost the operators, but improve the property values and quality of life of the surrounding neighborhood. Similarly, ordinances preventing factories or industrial facilities from operating in residential neighborhoods could be prohibited. This initiative would prohibit countless laws that protect the quality of our neighborhoods and our home values.
- ➤ Jeopardizes environmental protections. This same hidden definition in the measure would prohibit laws that protect our air and water quality, preserve open spaces, and protect the environment. For instance, stream set-back regulations intended to protect the quality of our water supply could be prohibited. Zoning regulations intended to prevent sprawl or development of open spaces could be prohibited. The list of environmental protections that would be impacted is virtually endless.
- Would lead to thousands of frivolous lawsuits and paralyze approval of new homes, businesses and other projects communities want and need. The new definitions in this measure will no doubt lead to thousands of frivolous lawsuits. For instance, those opposed to development could use this as a "hook" to sue to block new residential or commercial projects. Proponents of development could use it to prevent conditions placed on their developments, like restrictions on the number of homes that can be built or requirements to build new roads and schools to accommodate the new growth. The simple fact is that, at a minimum, cities and counties will likely be paralyzed for years while this measure gets litigated to the highest levels of the courts stalling approval of the economic growth and development we need.
- ➤ Undermine the authority of local communities and local voters. This measure is not just limited to the actions of cities, counties or other governments. Even VOTER APPROVED measures are impacted. As such, the measure will undermine the ability of the voters to decide what types of projects get built in their neighborhoods, the businesses that locate in a neighborhood, and how a community decides to grow, among other things.





Yes on ACA 8 and AB 887

Protect Small Businesses from Eminent Domain!

www.EminentDomainReform.com

ACA 8 and AB 887 – Increased Protections for Small Businesses from Eminent Domain ACA 8 and AB 887 (De La Torre) would provide new and unprecedented protections for small businesses faced with eminent domain. Here is a brief comparison between what is in current law and how ACA 8 and AB 887 would change it to benefit small businesses.

and how ACA 8 and AB 887 would change it to benefit small businesses.				
Current Law		New Protections Contained in ACA 8/AB887		
Use of Eminent Domain	Government can use eminent domain to take property on which small businesses are operated for conveyance to a private party as part of comprehensive redevelopment plan to eliminate blight.	Prohibits use of eminent domain to take small business property unless the small business is first given an opportunity to participate in the new revitalization plan. ACA 8 changes constitution to: Give small business owners a constitutional right to participate in a new redevelopment plan before eminent domain can be used to acquire their property. Constitutionally guarantees enhanced relocation expenses for small business owners who do not participate in the plan		
Compensation and Relocation Assistance Provided to Small Business Owners	 Just compensation for interest in real property acquired. Relocation expenses per Relocation Assistance Act. Compensation for loss of business goodwill, if any. NO provisions to buyout value of business in existing law for owners who cannot be relocated to remain economically viable. 	If business relocates: NEW statutory requirements (AB 887) enhance relocation compensation paid to small business owners who do not participate in the new redevelopment plan. Includes: Fair market value of the real property (if owned by the small business). An increase in the allowance for expenses to reestablish the business at a new location, from \$10,000 to \$50,000. Compensation for the increased cost of rent or mortgage payments for up to 3 years. If business cannot be relocated: NEW statutory requirements enhancing "buyout" compensation if small business owner can't be relocated or participate in the plan. Includes: Fair market value of the real property (if owned by the small business). 125% of the value of the business if the business could not have been relocated and remain		

economically viable.

